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## Single Family Residential Districts Retained

### 11.15.2822 Area Affected

The district provisions of MCC 11.15.2832 through 11.15.2900 shall apply to those lands designated R-40, R-30, R-20, R-10, R-7, R-4, A-2 and A-1-B on the Multnomah County Zoning Map.

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## Single Family Residential

This district is defined as a Single Family Residential District with a minimum lot size of 40,000 square feet.

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## Single Family Residential (R-40)

### 11.15.2832 Use

No building, structure, or land shall be used and no building or structure shall be hereafter erected, altered, or enlarged in this district except for the following uses:

- A. Single family dwellings.
- B. Accessory buildings such as garages, carports, studios, pergolas, private workshops, play-houses, private greenhouses or other similar structures related to the dwelling in design, whether attached or detached.
- C. Farming, truck gardening, orchards and nurseries, provided that no retail or wholesale business sales office is maintained on the premises, and provided that no poultry or livestock, other than normal household pets, shall be housed within 100 feet of any residence other than the dwelling on the same lot.
- D. Special uses, such as parks, playgrounds, or community centers, churches, schools, golf courses and uses of similar nature, as provided in MCC .7005 through .7041, when approved by the Hearings Officer. *[Amended 1982, Ord. 330 § 2]*
- E. Temporary structures may be allowed in this district if these structures relate to the building or sale of land or homes, provided, however, that a Temporary Permit shall be issued for these

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structures as provided under MCC .8705 through .8725. This permit shall expire at the end of one year, but may be renewed at the end of that period.

- F. Where the side of a lot abuts on a commercial or industrial district, the following transitional uses are permitted provided they do not extend more than 100 feet into the more restricted (residential) district:
  - 1. Two-family dwellings.
  - 2. Medical offices, dental offices and clinics.
  - 3. Parking, as required in MCC .6100 through .6148.
  - 4. Other uses of a transitional nature as determined by the Planning Commission. These transitional uses shall conform to all other requirements of this Chapter which apply.
- G. Signs, pursuant to the provisions of MCC 11.15.7902-.7982. *[Amended 1986, Ord. 543 § 2]*
- H. Uses customarily incident to any of the above uses, including Type A home occupations pursuant to the definition and restrictions of MCC 11.15.0010. *[Amended 1998, Ord. 900 § III]*
- I. Type B home occupation as provided for in MCC 11.15.7455. *[Added 1998, Ord. 900 § III]*
- J. Actions taken in response to an emergency/disaster event as defined in MCC 11.15.0010 pursuant to the provisions of MCC 11.15.2282. *[Added 2000, Ord. 947 § 1]*
- K. Placement of Structures necessary for continued public safety, or the protection of essential public services or protection of private or public existing structures, utility facilities, roadways, driveways, accessory uses and exterior improvements damaged during an emergency/disaster event. This includes replacement of temporary structures erected during such events with permanent structures performing an identical or related function. Land use proposals for such structures shall be submitted within 12 months following an emergency/disaster event. Applicants are responsible for all other applicable local, state and federal permitting requirements. *[Added 2000, Ord. 947 § 1]*

## **11.15.2834 Restrictions**

### **A. Lot Size**

The minimum lot size shall be 40,000 square feet. The minimum average lot width shall be 100 feet. The minimum average lot depth shall be 140 feet.

### **B. Yard Requirements**

- 1. Front Yard. There shall be a front yard with a minimum depth of 30 feet.
- 2. Side Yard. Side yards shall be a minimum of 10 feet.
- 3. Rear Yard. There shall be a rear yard with a minimum depth of 30 feet to any permanent structure.

### **C. Accessory Buildings**

Accessory buildings may be allowed if they fulfill the front, side, and rear yard requirements of the district.

### **D. Off-Street Parking**

Two automobile spaces on the lot shall be provided for each dwelling unit.

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#### E. Height Restrictions

Maximum height of any structure shall be 35 feet. *[Amended 1984, Ord. 428 § 2]*

#### F. Lot Coverage

The maximum area that may be covered by the dwelling unit and accessory buildings shall not exceed 20% of the total area of the lot.

G. All lots in this district shall abut a street, or shall have such other access held suitable by the Hearings Officer.

#### H. Half Streets

The minimum front or side yards or other setbacks as stated herein, shall be increased where such yard or setback abuts a street having insufficient right-of-way width to serve the area. The Planning Director shall determine the necessary right-of-way widths and the additional yard or setback requirements in such case.

I. No sale or conveyance of any portion of a lot, for other than a public purpose, shall leave a structure on the remainder of the lot with less than the minimum lot, yard, or setback requirements of this district.

J. *[Added 1990, Ord. 643 § 2; Repealed 1994, Ord. 804 § III]*

### 11.15.2836 Exceptions

#### A. Housing Project

When a developer of four or more acres of land submits plans for an entire development program, with the objective of providing suitable view, ample yard area, and other aesthetic conditions in harmony with the neighborhood, the Hearings Officer may waive the front, side, or rear yard requirements on a finding that the proposed design is in the best interest of the public and adequate to provide desirable places in which to live. In this case the lot area, width, and depth requirement shall remain the same as for this residential district.

B. Where a lot has been a deed of record of less than 100 feet in width, or an area of less than 40,000 square feet, and was held under separate ownership, or was on public record at the time this Chapter became effective, such lot may be occupied by any use permitted in this district. In no case, however, shall a dwelling unit have a lot area of less than 3,000 square feet.

C. If topographical or other conditions exist which make these requirements unreasonable, the Hearings Officer may waive the front, side, or rear yard requirements.

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## Single Family Residential

This district is defined as a Single Family Residential District with a minimum lot size of 30,000 square feet.

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#### 11.15.2842 Use

These documents are provided for informational purposes only. If you have specific legal concerns you must contact the office.

11.15.2844 Restrictions

11.15.2846 Exceptions

11.15.2848 Definition of Lot

## Single Family Residential (R-30)

### 11.15.2842 Use

No building, structure, or land shall be used and no building or structure shall be hereafter erected, altered, or enlarged in this district except for the following uses:

- A. Single-family dwellings.
- B. Accessory buildings such as garages, carports, studios, pergolas, private workshops, play-houses, private greenhouses, or other similar structures related to the dwelling in design, whether attached or detached.
- C. Farming, truck gardening, orchards and nurseries, provided that no retail or wholesale business sales office is maintained on the premises, and provided that no poultry or livestock, other than normal household pets, shall be housed within 100 feet of any residence other than the dwelling on the same lot.
- D. Special uses, such as parks, playgrounds, or community centers, churches, schools, golf courses and uses of similar nature, as provided in MCC .7005 through .7041, when approved by the Hearings Officer. *[Amended 1982, Ord. 330 § 2]*
- E. Temporary structures may be allowed in this district if these structures relate to the building or sale of land or homes, provided, however, that a Temporary Permit shall be issued for these structures as provided under MCC .8705 through .8725. This permit shall expire at the end of one year, but may be renewed at the end of that period.
- F. Where the side of a lot abuts a commercial or industrial district, the following transitional uses are permitted provided they do not extend more than 100 feet into the more restricted (residential) district:
  1. Two-family dwellings.
  2. Medical offices, dental offices, and clinics.
  3. Parking, as required in MCC .6100 through .6148.
  4. Other uses of a transitional nature as determined by the Planning Commission. These transitional uses shall conform to all other requirements of this Chapter which apply.
- G. Signs, pursuant to the provisions of MCC 11.15.7902-.7982. *[Amended 1986, Ord. 543 § 2]*
- H. Uses customarily incident to any of the above uses, including Type A home occupations pursuant to the definition and restrictions of MCC 11.15.0010. *[Amended 1998, Ord. 900 § III]*
- I. Type B home occupation as provided for in MCC 11.15.7455. *[Added 1998, Ord. 900 § III]*
- J. Actions taken in response to an emergency/disaster event as defined in MCC 11.15.0010 pursuant to the provisions of MCC 11.15.2282. *[Added 2000, Ord. 947 § 1]*

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K. Placement of Structures necessary for continued public safety, or the protection of essential public services or protection of private or public existing structures, utility facilities, roadways, driveways, accessory uses and exterior improvements damaged during an emergency/disaster event. This includes replacement of temporary structures erected during such events with permanent structures performing an identical or related function. Land use proposals for such structures shall be submitted within 12 months following an emergency/disaster event. Applicants are responsible for all other applicable local, state and federal permitting requirements. *[Added 2000, Ord. 947 § 1]*

## **11.15.2844 Restrictions**

### A. Lot Size

The minimum lot size shall be 30,000 square feet. The minimum average lot width shall be 80 feet. The minimum average lot depth shall be 130 feet.

### B. Yard Requirements

1. Front Yard. There shall be a front yard with a minimum depth of 30 feet.
2. Side Yard. Side yards shall be a minimum of 10 feet.
3. Rear Yard. There shall be a rear yard with a minimum depth of 30 feet to any permanent structure.

### C. Accessory Buildings

Accessory buildings may be allowed if they fulfill the front, side, and rear yard requirements of the district.

### D. Off-Street Parking

Two automobile spaces on the lot shall be provided for each dwelling unit.

### E. Height Restrictions

Maximum height of any structure shall be 35 feet. *[Amended 1984, Ord. 428 § 2]*

### F. Lot Coverage

The maximum area that may be covered by the dwelling unit and accessory buildings shall not exceed 25% of the total area of the lot.

G. All lots in this district shall abut a street, or shall have such other access held suitable by the Hearings Officer.

### H. Half Streets

The minimum front or side yards or other setbacks as stated herein, shall be increased where such yard or setback abuts a street having insufficient right-of-way width to serve the area. The Planning Director shall determine the necessary right-of-way widths and the additional yard or setback requirements in such cases.

I. No sales or conveyance of any portion of a lot, for other than a public purpose, shall leave a structure on the remainder of the lot with less than the minimum lot, yard or setback requirements of this district.

J. *[Added 1990, Ord. 643 § 2; Repealed 1994, Ord. 804 § III]*

These documents are provided for informational purposes only. If you have specific legal concerns you must contact the office.

## 11.15.2846 Exceptions

### A. Housing Project

When a developer of four or more acres of land submits plans for an entire development program, with the objective of providing suitable view, ample yard area, and other aesthetic conditions in harmony with the neighborhood, the Hearings Officer may waive the front, side, or rear yard requirements on a finding that the proposed design is in the best interest of the public and adequate to provide desirable places in which to live. In this case the lot area, width, and depth requirements shall remain the same as for this residential district.

B. Where a lot has been a deed of record of less than 80 feet in width, or an area of less than 30,000 square feet, and was held under separate ownership, or was on public record at the time this Chapter became effective, such lot may be occupied by any use permitted in this district. In no case, however, shall a dwelling unit have a lot area of less than 3,000 square feet.

C. If topographical or other conditions exist which make these requirements unreasonable, the Hearings Officer may waive the front, side, or rear yard requirements.

## 11.15.2848 Definition of Lot

### A. For the purposes of this district, a lot is:

#### 1. A parcel of land:

- a. For which a deed or other instrument creating the parcel was recorded with the Recording Section of the public office responsible for public records, or was in recordable form, prior to March 10, 1994;
- b. Which satisfied all applicable laws when the parcel was created;
- c. Which satisfies the minimum lot size requirements of MCC .2844; and
- d. Which was not, on March 10, 1994 or later, contiguous to a substandard parcel or substandard parcels under the same ownership, or

#### 2. A parcel of land:

- a. For which a deed or other instrument creating the parcel was recorded with the Recording Section of the public office responsible for public records, or was in recordable form, prior to March 10, 1994;
- b. Which satisfied all applicable laws when the parcel was created;
- c. Which does not meet the minimum lot size requirements of MCC .2844;
- d. Which satisfies the standards of MCC .2846(B); and
- e. Which was not, on March 10, 1994 or later, contiguous to a substandard parcel or substandard parcels under the same ownership, or

#### 3. A group of contiguous parcels of land:

- a. For which a deed or deeds or other instruments creating the parcels were recorded with the Recording Section of the public office responsible for public records, or was in recordable form, prior to March 10, 1994;
- b. Which satisfied all applicable laws when the parcels were created;

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- c. Any one of which individually does not meet the minimum lot size requirements of MCC .2844, but, when considered in combination, complies as nearly as possible, or exceeds, the minimum lot size requirements of MCC .2844, without creating any new lot line; and
  - d. Which were, on March 10, 1994 or later, held under the same ownership.
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## Single Family Residential

This district is defined as a Single Family Residential District with a minimum lot size of 20,000 square feet.

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11.15.2852 Use

11.15.2854 Restrictions

11.15.2856 Exceptions

11.15.2858 Definition of Lot

## Single Family Residential (R-20)

### 11.15.2852 Use

No building, structure, or land shall be used and no building or structure shall be hereafter erected, altered, or enlarged in this district except for the following uses:

- A. Single-family dwellings.
- B. Accessory buildings such as garages, carports, studios, pergolas, private workshops, play-houses, private greenhouses, or other similar structures related to the dwelling in design, whether attached or detached.
- C. Farming, truck gardening, orchards and nurseries, provided that no retail or wholesale business sales office is maintained on the premises, and provided that no poultry or livestock, other than normal household pets, shall be housed within 100 feet of any residence other than the dwelling on the same lot.
- D. Special uses, such as parks, playgrounds, or community centers, churches, schools, golf courses and uses of similar nature, as provided in MCC .7005 through .7041, when approved by the Hearings Officer. *[Amended 1982, Ord. 330 § 2]*
- E. Temporary structures may be allowed in this district if these structures relate to the building or sale of land or homes, provided, however, that a Temporary Permit shall be issued for these structures as provided under MCC .8705 through .8725. This permit shall expire at the end of one year, but may be renewed at the end of that period.

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- F. Where the side of a lot abuts a commercial or industrial district, the following transitional uses are permitted provided they do not extend more than 100 feet into the more restricted (residential) district:
1. Two-family dwellings.
  2. Medical offices, dental offices, and clinics.
  3. Parking, as required in MCC .6100 through .6148.
  4. Other uses of a transitional nature as determined by the Planning Commission. These transitional uses shall conform to all other requirements of this Chapter which apply.
- G. Signs, pursuant to the provisions of MCC 11.15.7902-.7982. *[Amended 1986, Ord. 543 § 2]*
- H. Uses customarily incident to any of the above uses, including Type A home occupations pursuant to the definition and restrictions of MCC 11.15.0010. *[Amended 1998, Ord. 900 § III]*
- I. Type B home occupation as provided for in MCC 11.15.7455. *[Added 1998, Ord. 900 § III]*
- J. Actions taken in response to an emergency/disaster event as defined in MCC 11.15.0010 pursuant to the provisions of MCC 11.15.2282. *[Added 2000, Ord. 947 § 1]*
- K. Placement of Structures necessary for continued public safety, or the protection of essential public services or protection of private or public existing structures, utility facilities, roadways, driveways, accessory uses and exterior improvements damaged during an emergency/disaster event. This includes replacement of temporary structures erected during such events with permanent structures performing an identical or related function. Land use proposals for such structures shall be submitted within 12 months following an emergency/disaster event. Applicants are responsible for all other applicable local, state and federal permitting requirements. *[Added 2000, Ord. 947 § 1]*

## **11.15.2854 Restrictions**

### **A. Lot Size**

The minimum lot size shall be 20,000 square feet. The minimum average lot width shall be 80 feet. The minimum average lot depth shall be 120 feet.

### **B. Yard Requirements**

1. **Front Yard.** There shall be a front yard having a minimum depth of 30 feet, unless a previous building line less than this has been established, in which case the minimum front yard for interior lots shall be the average of the setbacks of the main structures on abutting lots on either side if both lots are occupied; if one lot is occupied and the other vacant, the setback shall be the setback of the occupied lot, plus one-half of the remaining distance to the required 30 foot setback. If neither of the abutting side lots or tracts are occupied by a structure, the setback shall be 30 feet.
2. **Side Yard.** Side yards shall be a minimum of 10 feet.
3. **Rear Yard.** There shall be a rear yard with a minimum depth of 30 feet to any permanent structure.

### **C. Accessory Buildings**

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Accessory buildings may be allowed if they fulfill the front, side, and rear yard requirements of the district.

D. Off-Street Parking

Two automobile spaces on the lot shall be provided for each dwelling unit.

E. Height Restrictions

Maximum height of any structure shall be 35 feet. *[Amended 1984, Ord. 428 § 2]*

F. Lot Coverage

The maximum area that may be covered by the dwelling unit and accessory buildings shall not exceed 30% of the total area of the lot.

G. All lots in this district shall abut a street, or shall have such other access held suitable by the Hearings Officer.

H. Half Streets

The minimum front or side yards or other setbacks as stated herein, shall be increased where such yard or setback abuts a street having insufficient right-of-way width to serve the area. The Planning Director shall determine the necessary right-of-way widths and the additional yard or setback requirements in such cases.

I. No sales or conveyance of any portion of a lot, for other than a public purpose, shall leave a structure on the remainder of the lot with less than the minimum lot, yard or setback requirements of this district.

J. *[Added 1990, Ord. 643 § 2; Repealed 1994, Ord. 804 § III]*

### **11.15.2856 Exceptions**

A. Housing Project

When a developer of four or more acres of land submits plans for an entire development program, with the objective of providing suitable view, ample yard area, and other aesthetic conditions in harmony with the neighborhood, the Hearings Officer may waive the front, side, or rear yard requirements on a finding that the proposed design is in the best interest of the public and adequate to provide desirable places in which to live. In this case the lot area, width, and depth requirements shall remain the same as for this residential district.

B. Where a lot has been a deed of record of less than 80 feet in width, or an area of less than 20,000 square feet, and was held under separate ownership, or was on public record at the time this Chapter became effective, such lot may be occupied by any use permitted in this district. In no case, however, shall a dwelling unit have a lot area of less than 3,000 square feet.

C. If topographical or other conditions exist which make these requirements unreasonable, the Hearings Officer may waive the front, side, or rear yard requirements.

### **11.15.2858 Definition of Lot**

A. For the purposes of this district, a lot is:

1. A parcel of land:

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- a. For which a deed or other instrument creating the parcel was recorded with the Recording Section of the public office responsible for public records, or was in recordable form, prior to March 10, 1994;
  - b. Which satisfied all applicable laws when the parcel was created;
  - c. Which satisfies the minimum lot size requirements of MCC .2854; and
  - d. Which was not, on March 10, 1994 or later, contiguous to a substandard parcel or substandard parcels under the same ownership, or
2. A parcel of land:
- a. For which a deed or other instrument creating the parcel was recorded with the Recording Section of the public office responsible for public records, or was in recordable form, prior to March 10, 1994;
  - b. Which satisfied all applicable laws when the parcel was created;
  - c. Which does not meet the minimum lot size requirements of MCC .2854;
  - d. Which satisfies the standards of MCC .2856(B); and
  - e. Which was not, on March 10, 1994 or later, contiguous to a substandard parcel or substandard parcels under the same ownership, or
3. A group of contiguous parcels of land:
- a. For which a deed or deeds or other instruments creating the parcels were recorded with the Recording Section of the public office responsible for public records, or was in recordable form, prior to March 10, 1994;
  - b. Which satisfied all applicable laws when the parcels were created;
  - c. Any one of which individually does not meet the minimum lot size requirements of MCC .2854, but, when considered in combination, complies as nearly as possible, or exceeds, the minimum lot size requirements of MCC .2854, without creating any new lot line; and
  - d. Which were, on March 10, 1994 or later, held under the same ownership.

*[Added 1994, Ord. 786 § 3]*

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## **Single Family Residential R-10**

This district is defined as a Single Family Residential District with a minimum lot size of 10,000 square feet.

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11.15.2862 Use

11.15.2864 Restrictions

11.15.2866 Exceptions

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## Single Family Residential (R-10)

### 11.15.2862 Use

No buildings, structure or land shall be used and no building or structure shall be hereafter erected, altered, or enlarged in this district except for the following uses:

- A. Single family dwellings.
- B. Accessory buildings such as garages, carports, studios, pergolas, private workshops, playhouses, private greenhouses or other similar structures related to the dwelling in design, whether attached or detached.
- C. Farming, truck gardening, orchards and nurseries, provided that no retail or wholesale business sales office is maintained on the premises, and provided that no poultry or livestock, other than normal household pets, shall be housed within 100 feet of any residence other than the dwelling on the same lot.
- D. Special uses, such as parks, playgrounds, or community centers, churches, schools, golf courses and uses of similar nature, as provided in MCC .7005 through .7041, when approved by the Hearings Officer. *[Amended 1982, Ord. 330 § 2]*
- E. Temporary structures may be allowed in this district if these structures relate to the building or sale of land or homes, provided, however, that a Temporary Permit shall be issued for these structures as provided under MCC .8705 through .8725. This permit shall expire at the end of one year, but may be renewed at the end of that period.
- F. Where the side of a lot abuts on a commercial or industrial district, the following transitional uses are permitted provided they do not extend more than 100 feet into the more restricted (residential) district:
  1. Two-family dwellings.
  2. Medical offices, dental offices and clinics.
  3. Parking, as required in MCC .6100 through .6148.
  4. Other uses of a transitional nature as determined by the Planning Commission. These transitional uses shall conform to all other requirements of this Chapter which apply.
- G. Signs, pursuant to the provisions of MCC 11.15.7902-.7982. *[Amended 1986, Ord. 543 § 2]*
- H. Uses customarily incident to any of the above uses, including Type A home occupations pursuant to the definition and restrictions of MCC 11.15.0010. *[Amended 1998, Ord. 900 § III]*
- I. Type B home occupation as provided for in MCC 11.15.7455. *[Added 1998, Ord. 900 § III]*
- J. Actions taken in response to an emergency/disaster event as defined in MCC 11.15.0010 pursuant to the provisions of MCC 11.15.2282. *[Added 2000, Ord. 947 § 1]*
- K. Placement of Structures necessary for continued public safety, or the protection of essential public services or protection of private or public existing structures, utility facilities, roadways, driveways, accessory uses and exterior improvements damaged during an emergency/disaster event. This includes replacement of temporary structures erected during such events with permanent structures performing an identical or related function. Land use proposals for such structures shall be submitted within 12 months following an emergency/disaster event.

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Applicants are responsible for all other applicable local, state and federal permitting requirements. *[Added 2000, Ord. 947 § 1]*

## **11.15.2864 Restrictions**

### **A. Lot Size**

The minimum lot size shall be 10,000 square feet. The minimum average lot width shall be 70 feet, and the minimum lot width at the building line shall be 70 feet. The minimum average lot depth shall be 100 feet.

### **B. Yard Requirements**

1. **Front Yard.** There shall be a front yard having a minimum depth of 30 feet, unless a previous building line less than this has been established, in which case the minimum front yard for interior lots shall be the average of the setbacks of the main structure on abutting lots on either side if both lots are occupied. If one lot is occupied and the other vacant, the setback shall be the setback of the occupied lot, plus one-half the remaining distance to the required 30 foot setback. If neither of the abutting side lots or tracts is occupied by a structure, the setback shall be 30 feet.
2. **Side Yards.** Side yards shall be a minimum of ten feet.
3. **Rear Yards.** There shall be a rear yard with a minimum depth of 25 feet to the main building.
4. **Corner lots** may have a rear yard of not less than 10 feet if the front yard is not less than 30 feet and if the side yards are not less than 20 feet.

### **C. Accessory Buildings**

Accessory buildings may be allowed if they fulfill the following requirements:

1. If attached to the main building or separated by a breezeway they shall fulfill the front and side yard requirements of the main building.
2. If detached and located behind the rear most line of the main building, or a minimum of 35 feet from the front lot line, whichever is greater, any one-story accessory building may be located adjacent to or on a rear and/or side lot line not fronting on a street, when in compliance with the Building Code.

### **D. Off-Street Parking**

Two automobile spaces on the lot shall be provided for each dwelling unit.

### **E. Height Restrictions**

Maximum height of any structure shall be 35 feet. *[Amended 1984, Ord. 428 § 2]*

### **F. Lot Coverage**

The maximum area that may be covered by the dwelling unit and accessory building shall not exceed 30% of the total area of the lot.

G. All lots in this district shall abut a street or shall have such other access held suitable by the Hearings Officer.

### **H. Half Streets**

These documents are provided for informational purposes only. If you have specific legal concerns you must contact the office.

The minimum front or side yards or other setbacks as stated herein, shall be increased where such yard or setback abuts a street having insufficient right-of-way width to serve the area. The Planning Director shall determine the necessary right-of-way widths and the additional yard or setback requirements in such cases.

- I. No sale or conveyance of any portion of a lot, for other than a public purpose, shall leave a structure on the remainder of the lot with less than the minimum lot, yard or setback requirements of this district.

J. *[Added 1990, Ord. 643 § 2; Repealed 1994, Ord. 804 § III]*

## **11.15.2866 Exceptions**

### **A. Housing Project**

When a developer of four or more acres of land submits plans for an entire development program, with the objective of providing suitable view, ample yard area and other aesthetic conditions in harmony with the neighborhood, the Hearings Officer may waive the front, side or rear yard requirements on a finding that the proposed design is in the best interest of the public and adequate to provide desirable places in which to live. In this case the lot area, width, and depth requirements shall remain the same as for this residential district.

- B. Where a lot has been a deed of record of less than 70 feet in width or an area of less than 10,000 square feet, and was held under separate ownership, or was on public record at the time this Chapter became effective, such lot may be occupied by any use permitted in this district. In no case, however, shall a dwelling unit have a lot area of less than 3,000 square feet.

- C. If topographical or other conditions exist which make these requirements unreasonable, the Hearings Officer may waive the front, side or rear yard requirement.

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## **Single Family Residential R-7**

This district is defined as a Single Family Residential District with a minimum lot size of 7,000 square feet.

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11.15.2872 Use

11.15.2874 Restrictions

11.15.2876 Exceptions

## **Single Family Residential R-7**

### **11.15.2872 Use**

No building, structures, or land shall be used and no building or structure shall be hereafter erected, altered or enlarged in this district except for the following uses:

These documents are provided for informational purposes only. If you have specific legal concerns you must contact the office.

- A. Single family dwellings.
- B. Accessory buildings such as garages, carports, studios, pergolas, private workshops, playhouses, private greenhouses or other similar structures related to the dwelling in design, whether attached or detached.
- C. Farming, truck gardening, orchards and nurseries, provided that no retail or wholesale business sales office is maintained on the premises, and provided that no poultry or livestock, other than normal household pets, shall be housed within 100 feet of any residence other than the dwelling on the same lot.
- D. Special uses, such as parks, playgrounds, or community centers, churches, schools, golf courses and uses of similar nature, as provided in MCC .7005 through .7041, when approved by the Hearings Officer. *[Amended 1982, Ord. 330 § 2]*
- E. Temporary structures may be allowed in this district if these structures relate to the building or sale of land or homes, provided, however, that a Temporary Permit shall be issued for these structures as provided under MCC .8705 through .8725. This permit shall expire at the end of one year, but may be renewed at the end of that period.
- F. Where the side of a lot abuts on a commercial or industrial district, the following transitional uses are permitted provided they do not extend more than 100 feet into the more restricted (residential) district.
  - 1. Two-family dwellings.
  - 2. Medical offices, dental offices and clinics.
  - 3. Parking, as required in MCC .6100 through .6148.
  - 4. Other uses of a transitional nature as determined by the Planning Commission. These transitional uses shall conform to all other requirements of this Chapter which apply.
- G. Signs, pursuant to the provisions of MCC 11.15.7902-.7982. *[Amended 1986, Ord. 543 § 2]*
- H. Uses customarily incident to any of the above uses, including Type A home occupations pursuant to the definition and restrictions of MCC 11.15.0010. *[Amended 1998, Ord. 900 § III]*
- I. Type B home occupation as provided for in MCC 11.15.7455. *[Added 1998, Ord. 900 § III]*
- J. Actions taken in response to an emergency/disaster event as defined in MCC 11.15.0010 pursuant to the provisions of MCC 11.15.2282. *[Added 2000, Ord. 947 § 1]*
- K. Placement of Structures necessary for continued public safety, or the protection of essential public services or protection of private or public existing structures, utility facilities, roadways, driveways, accessory uses and exterior improvements damaged during an emergency/disaster event. This includes replacement of temporary structures erected during such events with permanent structures performing an identical or related function. Land use proposals for such structures shall be submitted within 12 months following an emergency/disaster event. Applicants are responsible for all other applicable local, state and federal permitting requirements. *[Added 2000, Ord. 947 § 1]*

## **11.15.2874 Restrictions**

### **A. Lot Size**

These documents are provided for informational purposes only. If you have specific legal concerns you must contact the office.

The minimum lot size shall be 7,000 square feet. The minimum average lot width shall be 60 feet, and the minimum lot width at the building line shall be 60 feet. The minimum average lot depth shall be 80 feet.

#### B. Yard Requirements

1. **Front Yard.** There shall be a front yard having a minimum depth of 20 feet, unless a previous building line less than this has been established, in which case the minimum front yard for interior lots shall be the average of the setbacks of the main structures on abutting lots on either side if both lots are occupied. If one lot is occupied and the other vacant, the setback shall be the setback of the occupied lot, plus one-half the remaining distance to the required 20 foot setback. If neither of the abutting side lots or tracts are occupied by a structure, the setback shall be 20 feet.
2. **Side Yards.** Side yards shall be a minimum of five feet, on corner lots the side yard shall be a minimum of ten feet on the side abutting the street.
3. **Rear Yards.** There shall be a rear yard with a minimum depth of 25 feet to the main building.
4. **Corner lots** may have a rear yard of not less than 5 feet if the front and side yards are not less than 20 feet.

#### C. Accessory Buildings

Accessory buildings may be allowed if they fulfill the following requirements:

1. If attached to the main building or separated by a breezeway, they shall fulfill the front and side yard requirements of the main building.
2. If detached and located behind the rear-most line of the main building, or a minimum of 50 feet from the front lot line, whichever is greater, any one-story accessory building may be located adjacent to or on a rear and/or side lot line not fronting on a street, when in compliance with the Building Code.

#### D. Off-Street Parking

Two automobile spaces on the lot shall be provide for each dwelling unit.

#### E. Height Restrictions

Maximum height of any structure shall be 35 feet. *[Amended 1984, Ord. 428 § 2]*

#### F. Lot Coverage

The maximum area that may be covered by the dwelling unit and accessory buildings shall be 35% of the total area of the lot.

G. All lots in this district shall abut a street or shall have such other access held suitable by the Hearings Officer.

#### H. Half Streets

The minimum front or side yards or other setbacks as stated herein shall be increased where such yard or setback abuts a street having insufficient right-of-way width to serve the area. The Planning Director shall determine the necessary right-of-way widths and the additional yard or setback requirements in such cases.

- I. No sale or conveyance of any portion of a lot, for other than a public purpose, shall leave a structure on the remainder of the lot with less than the minimum lot, yard or setback requirements of this district.

J. *[Added 1990, Ord. 643 § 2; Repealed 1994, Ord. 804 § III]*

### **11.15.2876 Exceptions**

- A. When a developer of four or more acres of land submits plans for an entire development program, with the objective of providing suitable view, ample yard area and other aesthetic conditions in harmony with the neighborhood, the Hearings Officer may waive the front, side or rear yard requirements on a finding that the proposed design is in the best interest of the public and adequate to provide desirable places in which to live. In this case the lot area, width, and depth requirements shall remain the same as for this residential district.
  - B. Where a lot has been a deed of record of less than 60 feet in width, or an area of less than 7,000 square feet, and was held under separate ownership, or was on public record at the time this Chapter became effective, such lot may be occupied by any use permitted in this district. In no case, however, shall a dwelling unit have a lot area of less than 3,000 square feet.
  - C. If topographical or other conditions exist which make these requirements unreasonable, the Hearings Officer may waive the front, side or rear yard requirements.
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## **Single Family Residential R-4**

This district is defined as a Two-Family Residential District.

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## **Single Family Residential R-4**

### **11.15.2882 Use**

No building, structure or land shall be used and no building or structure shall be hereafter erected, altered or enlarged in this district except for the following uses:

- A. One-family dwellings.
- B. Two-family dwellings.
- C. Dwelling groups when developed according to the provisions of MCC .2886 and the standards of this district which apply.

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- D. Accessory buildings such as garages, carports, studios, pergolas, private workshops, playhouses, private greenhouses or other similar structures related to the dwelling in design, whether attached or detached.
- E. Special uses, such as parks, playgrounds, or community centers, churches, schools, golf courses and uses of similar nature, as provided in MCC .7005 through .7041, when approved by the Hearings Officer. *[Amended 1982, Ord. 330 § 2]*
- F. Temporary structures may be allowed in this district, if these structures relate to the building or sale of land or homes, provided, however, that a Temporary Permit shall be issued for these structures as provided under MCC .8705 through .8725. This permit shall expire at the end of one year, but may be renewed at the end of that period.
- G. Where the side of a lot abuts a commercial or industrial district, the following transitional uses are permitted provided they do not extend more than 100 feet into the more restricted (residential) district:
  - 1. Apartment dwellings.
  - 2. Medical offices, dental offices and clinics.
  - 3. Parking, as required in MCC .6100 through .6148.
  - 4. Other uses of a transitional nature as determined by the Planning Commission. These transitional uses shall conform to all other requirements of this Chapter which apply.
- H. Signs, pursuant to the provisions of MCC 11.15.7902-.7982. *[Amended 1986, Ord. 543 § 2]*
- I. Uses customarily incident to any of the above uses, including Type A home occupations pursuant to the definition and restrictions of MCC 11.15.0010. *[Amended 1998, Ord. 900 § III]*
- J. Actions taken in response to an emergency/disaster event as defined in MCC 11.15.0010 pursuant to the provisions of MCC 11.15.2282. *[Added 2000, Ord. 947 § 1]*
- K. Placement of Structures necessary for continued public safety, or the protection of essential public services or protection of private or public existing structures, utility facilities, roadways, driveways, accessory uses and exterior improvements damaged during an emergency/disaster event. This includes replacement of temporary structures erected during such events with permanent structures performing an identical or related function. Land use proposals for such structures shall be submitted within 12 months following an emergency/disaster event. Applicants are responsible for all other applicable local, state and federal permitting requirements. *[Added 2000, Ord. 947 § 1]*

## **11.15.2884 Restrictions**

### **A. Lot Size**

The minimum lot size shall be 8,000 square feet for a two-family dwelling, 7,000 square feet for a single-family dwelling, and 4,000 square feet for each dwelling unit in dwelling groups permitted under MCC .2882(C). The minimum average lot width shall be 60 feet, the minimum width at the building line shall be 60 feet, and the minimum average lot depth shall be 80 feet.

### **B. Yard Requirements**

- 1. **Front Yard.** There shall be a front yard having a minimum depth of 20 feet, unless a previous building line less than this has been established, in which case the minimum

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front yard for interior lots shall be the average of the setbacks of the main structures on abutting lots on either side if both lots are occupied; if one lot is occupied and the other vacant, the setback shall be the setback of the occupied lot, plus one-half the remaining distance to the required 20 foot setback. If neither of the abutting side lots or tracts are occupied by a structure, the setback shall be 20 feet.

2. Side Yard. Side yards shall be a minimum of five feet, on corner lots the side yard shall be a minimum of ten feet on the side abutting the street.
3. Rear Yard. There shall be a rear yard with a minimum depth of 25 feet to the main building.

#### C. Accessory Buildings

Accessory buildings may be allowed if they fulfill the following requirements:

1. If attached to the main building or separated by a breezeway they shall fulfill the front and side yard requirements of the district.
2. If detached and located behind the rear-most line of the main building, or a minimum of 50 feet from the front lot line, whichever is greater, any one-story accessory building may be located adjacent to or on a rear and/or side lot line not fronting on a street, when in compliance with the Building Code.

#### D. Off-Street Parking

Two automobile spaces on the lot shall be provided for each dwelling unit. Off-street parking for dwelling groups permitted under MCC .2882(C) shall be provided according to the requirements of MCC .6100 through .6148.

#### E. Height Restrictions

Maximum height of any structure shall be 35 feet.. Maximum height of any structure in a dwelling group permitted under MCC .2882(C) shall be one-story, unless the Planning Director shall determine that a greater height is in harmony with the neighborhood.*[Amended 1984, Ord. 428 § 2]*

#### F. Lot Coverage

The maximum area that may be covered by the dwelling(s) and accessory buildings shall not exceed 40% of the total area of the lot.

G. All lots in this district shall abut a street or shall have such other access held suitable by the Hearings Officer.

#### H. Half Streets

The minimum front or side yards or other setbacks as stated herein shall be increased where such yard or setback abuts a street having insufficient right-of-way widths to serve the area. The Planning Director shall determine the necessary right-of-way widths and the additional yard or setback requirements in such cases.

I. No sale or conveyance of any portion of a lot, for other than a public purpose, shall leave a structure on the remainder of the lot with less than the minimum lot, yard or setback requirements of this district.

J. *[Added 1990, Ord. 643 § 2; Repealed 1994, Ord. 804 § III]*

These documents are provided for informational purposes only. If you have specific legal concerns you must contact the office.

## **11.15.2886 Exceptions**

- A. Where a lot has been a deed of record of less than 60 feet in width, or an area of less than 8,000 square feet, and was held under separate ownership, or was on public record at the time this ordinance became effective, such lot may be occupied only by a use permitted in an R-7 district. In no case, however, shall a dwelling unit have a lot area of less than 3,000 square feet.
- B. If topographical or other conditions exist which make these requirements unreasonable, the Hearings Officer may waive the front, side or rear yard requirements.
- C. Dwelling groups may be located in this district when approved by the Hearings Officer. In approving such dwelling groups, the Hearings Officer shall consider:
  - 1. The present and potential character of the area;
  - 2. The need for adequate access, circulation and parking, privacy, and usable open spaces; and
  - 3. Other factors which will assure a desirable living environment.
    - a. The Hearings Officer may attach such conditions to the approval as are necessary to carry out the objectives listed in subparts (1), (2), or (3) of this subsection.

## **11.15.2888 Design Review**

A dwelling group approved by the Hearings Officer under MCC .28865(C) shall be subject to Design Review approval under MCC .7805 through .7865.

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## **Apartment Residential A-2**

This district is defined as Apartment Residential District

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## **Apartment Residential A-2**

### **11.15.2892 Use**

No building, structure or land shall be used and no building or structure shall be hereinafter erected, altered or enlarged in this district except for the following uses:

- A. Single family dwellings.

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- B. Two-family dwellings.
- C. Apartment dwellings.
- D. Accessory buildings such as garages, carports, studios, pergolas, private workshops, playhouses, private greenhouses or other similar structures related to the dwelling in design, whether attached or detached.
- E. Special uses, such as parks, playgrounds, or community centers, churches, schools, golf courses and uses of similar nature, as provided in MCC .7005 through .7041, when approved by the Hearings Officer. *[Amended 1982, Ord. 330 § 2]*
- F. Temporary structures may be allowed in this district if these structures relate to the building or sale of land or homes, provided, however, that a Temporary Permit shall be issued for these structures as provided under MCC .8705 through .8725. This permit shall expire at the end of one year but may be renewed at the end of that period.
- G. Where any portion of a lot is within 150 feet of the boundary of a C-3 or C-2 district, apartment dwellings (3 units or more) with a minimum lot size of 5,800 square feet plus 1,200 square feet for each unit may be permitted after a public hearing before the Hearings Officer. In such cases the maximum area that may be covered by the dwelling unit and accessory buildings shall be 50% of the total area of the lot. All other requirements of the A-2 Section shall apply.
- H. Where the side of a lot abuts on a commercial or industrial district, the following transitional uses are permitted provided they do not extend more than 100 feet into the more restricted (residential) district:
  - 1. Medical offices.
  - 2. Parking, as required in MCC .6110 through .6148.
  - 3. Other uses of a transitional nature as determined by the Planning Commission. These transitional uses shall conform to all other requirements of this Chapter which apply.
- I. Signs, pursuant to the provisions of MCC 11.15.7902-.7982. *[Amended 1986, Ord. 543 § 2]*
- J. Uses customarily incident to any of the above uses, including home occupations.
- K. The following uses may be permitted after a public hearing before the Hearings Officer:
  - 1. Mobile home parks
  - 2. Hotels
  - 3. Boarding houses
  - 4. Motels
  - 5. Professional offices.
- L. The Hearings Officer may attach additional conditions as to setbacks, screening, off-street parking and loading, construction standards and maintenance, which may be deemed necessary to protect public health, safety and general welfare; to protect adjacent properties and the public interest.
- M. Actions taken in response to an emergency/disaster event as defined in MCC 11.15.0010 pursuant to the provisions of MCC 11.15.2282. *[Added 2000, Ord. 947 § 1]*

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N. Placement of Structures necessary for continued public safety, or the protection of essential public services or protection of private or public existing structures, utility facilities, roadways, driveways, accessory uses and exterior improvements damaged during an emergency/disaster event. This includes replacement of temporary structures erected during such events with permanent structures performing an identical or related function. Land use proposals for such structures shall be submitted within 12 months following an emergency/disaster event. Applicants are responsible for all other applicable local, state and federal permitting requirements. *[Added 2000, Ord. 947 § 1]*

## 11.15.2894 Restrictions

### A. Lot Size and Coverage

No. of Dwelling Units	Minimum Lot Size in Square Feet	Percent Lot Coverage
1	7,000	35%
2	8,000	40%
3	11,000	40%
4	14,000	45%
5	16,500	45%
6	19,000	45%
7-10	21,500 + 2,250 for each unit over 7	45%
11-20	30,500 + 2,000 for each unit over 11	45%
21-37	50,750 + 1,750 for each unit over 21	50%
38-63	79,500 + 1,500 for each unit over 38	55%
64-up	118,500 + 1,000 for each unit over 64	55%

1. The minimum average lot width shall be 60 feet, and the minimum lot width at the building line shall be 60 feet. The minimum average lot depth shall be 80 feet.
2. Where the number of dwelling units erected on a lot is calculated in accordance with this Section, no greater number of units shall in any event be permitted at any time except in compliance with MCC .2892(G).

### B. Yard Requirements

1. Front Yard. There shall be a front yard having a minimum depth of 20 feet, unless a previous building line less than this has been established, in which case the minimum front yard for interior lots shall be the average of the setbacks of the main structures on abutting lots on either side if both lots are occupied; if one lot is occupied and the other vacant, the setback shall be the setback of the occupied lot plus one-half the remaining distance to the required 20 foot setback. If neither of the abutting side lots or tracts are occupied by a structure, the setback shall be 20 feet.

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2. Side Yard. For buildings one or two stories in height, side yards shall be a minimum of five feet; for buildings exceeding two stories in height, the side yards shall be a minimum of one foot horizontally for every three feet of building height; on corner lots the side yard for all structures shall be a minimum of ten feet on the side abutting the street.
3. Rear Yard. There shall be a rear yard with a minimum depth of 15 feet to the main building.

#### C. Accessory Buildings

Accessory buildings may be allowed if they fulfill the following requirements:

1. If attached to the main building or separated by a breezeway they shall fulfill the front and side yard requirements of the main building.
2. If detached and located behind the rear-most line of the main building, or a minimum of 45 feet from the front lot line, whichever is greater, any one-story accessory building may be located adjacent to or on a rear and/or side lot line not fronting on a street when in compliance with the Building Code.

#### D. Off-Street Parking

Off-street parking shall be provided as required in MCC.6100 through .6148.

#### E. Height Restrictions

Maximum height of any structure shall be 35 feet. Structures exceeding 35 feet may be permitted if in harmony with the neighborhood after a public hearing before the Hearings Officer. *[Amended 1984, Ord. 428 § 2]*

- F. All lots in this district shall abut a street or shall have such other access held suitable by the hearings Officer.

#### G. Half Street

The minimum front or side yards or other setbacks as stated herein shall be increased where such yard or setback abuts a street having insufficient right-of-way width to serve the area. The Planning Director shall determine the necessary right-of-way widths and the additional yard or setback requirements in such cases.

- H. No sale or conveyance of any portion of a lot, for other than a public purpose, shall leave a structure on the remainder of the lot with less than the minimum lot, yard or setback requirements of this district.

I. *[Added 1990, Ord. 643 § 2; Repealed 1994, Ord. 804 § III]*

### **11.15.2896 Additional Restrictions**

All of the above restrictions shall apply to hotels, boarding houses, motels and mobile house parks, except that the minimum lot sizes for such uses shall be as hereinafter provided, and in addition they shall comply with the following requirements:

#### A. Mobile home parks

1. Mobile home parks shall be located on well-drained sites, and shall be so located that their drainage shall not endanger any water supply. All such mobile house parks shall be

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located in areas free from marshes, swamps, or other potential breeding places for insects or rodents.

2. The area of the mobile home park shall be large enough to accommodate:
  - a. The designated number of mobile home spaces.
  - b. Necessary streets and drives.
  - c. Off-street parking.
  - d. Service areas, recreation areas, and setbacks.
3. Each mobile home space shall contain a minimum of 1,200 square feet, except that at the option of the owner the minimum size may be 1,000 square feet if, as provided in subpart (12) of this subsection, an area of 100 square feet for each mobile home space is provided as recreation area. Each mobile home space shall be a minimum of 25 feet in width and shall abut on a drive with unobstructed access to a street. Such spaces shall be clearly defined. Mobile homes located in such spaces with a minimum of 15 feet between mobile homes, or between a mobile home and any building.
4. No mobile home shall be located less than 5 feet from a side or rear property line.
5. No mobile home shall be located less than 25 feet from any street or highway, or so that any part of such mobile home obstructs any drive or walkway.
6. No mobile home shall remain in a mobile home park unless a mobile home space is available.
7. Access drives shall be provided to each mobile home space, shall be continuous, shall connect with a street, and shall have a minimum width of 20 feet, with a minimum total width of 36 feet for exterior connections.
8. Improved walkways, not less than two (2) feet in width, shall be provided from each trailer space to service buildings.
9. Access drives and walkways within the park shall be hard surfaced according to standards established by the County Engineer.
10. Each mobile home space shall be improved with one patio of concrete or other suitable impervious material, having a minimum area of 150 square feet and one crushed rock or better mobile home pad having a minimum size of 10 feet by 40 feet.
11. Off-street parking shall be provided as required in MCC .6100 through .6148, with a minimum of 1-1/2 parking spaces for each mobile home space. Minimum width access drives shall not be considered in fulfilling this requirement.
12. Recreation areas which may be provided under the conditions of subpart (3) of this subsection shall be suitably equipped and restricted to such uses. Such areas shall be protected from streets, drives and parking areas. A minimum of 100 square feet of recreation area for each mobile home space shall be provided in one or more locations within the mobile home park. The minimum size of each such recreation area shall be 2,500 square feet.
13. No permanent additions of any kind shall be built onto, nor become a part of, any mobile home. Skirting of mobile homes is permissible but such skirting shall not attach the mobile home to the ground.

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14. Permanent structures located within any mobile home space shall be used for storage purposes only, shall have a maximum area of 25 square feet, shall be located not less than 6 feet from any mobile home, and shall be subject to all of the applicable provisions of the Multnomah County Building Code. These structures shall be uniform and included in the plan submitted to and approved by the Hearings Officer.
15. Wheels of mobile homes shall not be removed, except temporarily when necessary for repairs.
16. A sight-obscuring fence of not less than 6 feet, nor more than 7 feet in height, with no openings other than the required entrances and exits to streets and public places, shall be provided along any lot line which abuts or faces a more restricted residential district.
17. Applications for use of land as a mobile home park shall be accompanied by complete plans and specifications of the proposed park and all permanent buildings, indicating the proposed methods of compliance with these requirements. Such plans shall be to a scale of not less than one inch per 40 feet. Such application shall also include a copy of the approval of plans by the County Sanitarian.

B. Hotels, boarding houses and motels:

1. If cooking facilities are provided in individual units of a structure or structures, the requirements of the A-2, Apartment-Residential District for dwelling units shall apply for each unit containing the cooking facilities.

### **11.15.2898 Exceptions**

- A. Where a lot has been a deed of record of less than 60 feet in width, or an area of less than 8,000 square feet, and was held under separate ownership, or was on public record at the time this Chapter became effective, such lot may be occupied only by a use permitted in an R-7 district. In no case, however, shall a single family dwelling unit have a lot area of less than 3,000 square feet.
- B. If topographical or other conditions exist which make these requirements unreasonable, the Hearings Officer may waive the front, side or rear yard requirements.

### **11.15.2900 Design Review**

Uses in this district, except single family and two-family dwellings on individual lots, shall be subject to Design Review approval under MCC .7805 through .7865.

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## **Apartment-Residential-Business Office A-1-B**

This district is defined as Apartment-Residential-Business Office District.

### **11.15.2912 Purpose**

The purpose of this district is to provide suitable areas for apartment dwellings together with harmonious business and professional office uses, generally utilizing the frontage on major arterials in

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a manner offering a high level of access and compatibility with the necessary traffic-carrying capacity and with a minimum of conflict with adjoining single family residential districts.

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## Apartment-Residential-Business Office A-1-B

### 11.15.2914 Uses

No building, structure or land shall be used and no building or structure shall be hereafter erected, altered or enlarged in this district except for the following uses:

A. Any use permitted in an R-7 or R-4 district and apartment dwellings according to the standards of MCC .2894.

B. Apartment Dwellings, High Density.

Where any portion of a lot is within 150 feet of the boundary of a C-3 or C-2 district, apartment dwellings (3 units or more) with a minimum lot size of 5,800 square feet plus 1,200 square feet for each unit may be permitted after a public hearing before the Hearings Officer. In such cases the maximum area that may be covered by the dwelling unit and accessory buildings shall be 50% of the total area of the lot. All other requirements of the A-2 Section shall apply.

C. Mobile home parks, hotels, motels and boarding houses may be permitted after public hearing before the Hearings Officer, when in harmony with the Comprehensive Plan and the character of the area, and developed in accordance with the standards of MCC .2896.

D. The following uses when developed in accordance with the standards of this Section:

1. Offices, studios or clinics of the following professions or occupations:

- a. Accountants
- b. Architects
- c. Artists
- d. Attorneys
- e. Authors and Writers
- f. Dentists
- g. Designers
- h. Engineers
- i. Investment Counselors

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- j. Landscape Architects
  - k. Management Consultants
  - l. Physicians and Surgeons
  - m. Psychologists
2. Office of administrative, editorial, educational, executive, financial, governmental, philanthropic, insurance, real estate, religious, research, scientific or statistical organizations whose activities are such that few visitors other than employees have reason to come to the premises.
  3. Any other office use held similar to the above uses, as approved by the Planning Commission as being in harmony with the Comprehensive Plan and with the area and purposes set forth in MCC .2912.
  4. Accessory buildings or uses customarily incidental to such uses, when located on the same lot.
- E. Limitations
1. Except for those items necessarily related to the business or profession, no goods, wares or merchandise shall be displayed, sold or serviced on any lot in this district.
  2. All uses and operations shall be confined, contained and conducted wholly within completely enclosed buildings, except off-street parking and loading areas.
- F. Special uses, such as parks, playgrounds, or community centers, churches, schools, golf courses and uses of similar nature, as provided in the Community Service Section MCC .7005 through .7041, when approved by the Hearings Officer. *[Amended 1982, Ord. 330 § 2]*
- G. Temporary structures or uses may be allowed in this district, if these relate to the building or sale of land or permanent structures, provided, however, that a Temporary Permit shall be issued for these temporary structures as provided under MCC .8705 through .8725. This permit shall expire at the end of one year, but may be renewed at the end of that period.
- H. Signs, pursuant to the provisions of MCC 11.15.7902-.7982. *[Amended 1986, Ord. 543 § 2]*
- I. The Hearings Officer may attach additional conditions as to setbacks, screening, off-street parking and loading, construction standards and maintenance, which may be deemed necessary to protect public health, safety and general welfare; to protect adjacent properties and the public interest.
- J. Actions taken in response to an emergency/disaster event as defined in MCC 11.15.0010 pursuant to the provisions of MCC 11.15.2282. *[Added 2000, Ord. 947 § 1]*
- K. Placement of Structures necessary for continued public safety, or the protection of essential public services or protection of private or public existing structures, utility facilities, roadways, driveways, accessory uses and exterior improvements damaged during an emergency/disaster event. This includes replacement of temporary structures erected during such events with permanent structures performing an identical or related function. Land use proposals for such structures shall be submitted within 12 months following an emergency/disaster event. Applicants are responsible for all other applicable local, state and federal permitting requirements. *[Added 2000, Ord. 947 § 1]*

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## 11.15.2916 Restrictions

Except as otherwise specified herein, all residential uses shall fulfill the applicable restrictions of the A-2 Section of this Chapter. All other uses permitted by this Section shall meet the following requirements:

### A. Yard Requirements.

1. Front Yard. There shall be a front yard having a minimum depth of 20 feet, unless a previous building line less than this has been established, in which case the minimum front yard for interior lots shall be the average of the setbacks of the main structures on abutting lots on either side if both lots are occupied; if one lot is occupied and the other vacant, the setback shall be the setback of the occupied lot, plus one-half the remaining distance to the required 20 foot setback. If neither of the abutting side lots or tracts are occupied by a structure, the setback shall be 20 feet.
2. Side Yard. For buildings one or two stories in height, side yards shall be a minimum of five feet; for buildings exceeding two stories in height, the side yards shall be a minimum of one-foot horizontally for every three feet of building height; on corner lots the side yard for all structures shall be a minimum of ten feet on the side abutting the street.
3. Rear Yard. There shall be a rear yard with a minimum depth of 15 feet to the main building.

### B. Accessory Uses.

Uses or buildings, accessory to primary office use, may be allowed and shall fulfill the yard requirements of this district.

### C. Off-Street Parking and Loading.

Off-street parking and loading shall be provided as required in MCC .6100 through .6148.

### D. Height Restrictions.

Maximum height of any structure shall be 35 feet. Structures exceeding 35 feet may be permitted if in harmony with the neighborhood after a public hearing before the Hearings Officer. *[Amended 1984, Ord. 428 § 2]*

### E. All lots in this district shall abut a street, or shall have such other access held suitable by the Hearings Officer.

### F. Half Street.

The minimum front or side yards or other setbacks as stated herein shall be increased where such yard or setback abuts a street having insufficient right-of-way width to serve the area. The Planning Director shall determine the necessary right-of-way widths and the additional yard or setback requirements in such case.

### G. No sale or conveyance of any portion of a lot, for other than a public purpose, shall leave a structure on the remainder of the lot with less than the minimum lot, yard or setback requirements of this district.

### **11.15.2918 Exceptions**

- A. When a developer of four or more acres of land submits plans for an entire development program, with the objective of providing suitable view, ample yard area and other aesthetic conditions in harmony with the neighborhood, the Hearings Officer may waive the front, side or rear yard requirements on a finding that the proposed design is in the best interest of the public and adequate to provide desirable places in which to live and work.
- B. If topographical or other conditions exist which make these requirements unreasonable, the Hearings Officer may waive the front, side or rear yard requirements.

### **11.15.2920 Design Review**

Uses in this district, except single family and two-family dwellings on individual lots, shall be subject to Design Review approval under MCC .7805 through .7865.