

MULTNOMAH COUNTY, OREGON

ORDINANCE NO. 205

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BEFORE THE BOARD OF COUNTY COMMISSIONERS

FOR MULTNOMAH COUNTY, OREGON

ORDINANCE NO. _____

An Ordinance amending Ordinance No. 100, establishing new districts and revising and repealing others to regulate development in areas designated "Urban" by the Multnomah County Comprehensive Framework Plan; establishing standards and administrative review procedures for developments in areas of historic significance; adding and revising and repealing certain other sections and defining terms; and creating a Hearings Officer to replace the Hearings Council and Board of Adjustment; all for the purpose of implementing various provisions of the Comprehensive Plan.

Multnomah County ordains as follows:

SECTION 1 AMENDMENT ADDING DEFINITIONS.

Section 1.00 of Ordinance No. 100 is amended by adding the following subsections:

- 1.011 ACCESSWAY. A private street which is not a part of a lot or parcel and which provides access to more than one lot or parcel.
- 1.072 APPROVAL AUTHORITY. The Planning Commission, Hearings Officer or Planning Director authorized to grant approvals as specified by this Ordinance.
- 1.076 ARCHAEOLOGICAL RESOURCE. A district, site, building, structure or artifact which possesses material evidence of life and culture of the prehistoric and historic past.
- 1.141 COMMUNITY PLAN. The Community Plan of a specific area adopted as a component of the Comprehensive Plan.
- 1.143 COMPREHENSIVE PLAN. The Comprehensive Plan adopted by Multnomah County, including any plan or plan element adopted as a component of the Comprehensive Plan.
- 1.144 CONDITIONAL USE. A use which may be permitted by the approval authority following action proceedings, upon findings by the authority that the approval criteria have been met or will be met upon satisfaction of conditions of approval.
- 1.152 DAY NURSERY. A facility for the provision of temporary daytime care for five or more children not related to nor the wards of the attending adult.

- 1.165 DRIVE-IN. An establishment so developed with a driveway, drive-up or drive-through facility or parking area that services are supplied in whole or in part to a customer in a motor vehicle or, in the case of self-service food or drink, for consumption outside the building.
- 1.204 FAMILY. An individual or two or more persons related by blood, marriage or adoption or a group of not more than five unrelated persons (excluding servants) living together as a single housekeeping unit in a dwelling unit.
- 1.207 FAST FOOD SERVICE. The retail sales in a building of convenience food or specialty menu items, and ordered and served at a counter or window, whether for consumption on or off the premises, when the facility is designed primarily to serve customers arriving by automobile. Such food items include, but are not limited to, dairy products, donuts, fish and chips, fried chicken, hamburgers, hot dogs, ice cream, pizza, sandwiches, soft drinks or tacos.
- 1.211 FINDINGS. A written statement of facts, conclusions and determinations based on the evidence presented in relation to the approval criteria and prepared by the approval authority in support of a decision.
- 1.215 FLAG LOT. A lot or parcel which includes a private driveway as a part thereof.
- 1.232 FUTURE STREET PLAN. A plan approved by the approval authority for the continuation into nearby property of any street in a Type 1 Land Division to facilitate the future division of the nearby land according to the provisions of the Land Division Chapter.
- 1.234 GARDEN APARTMENT. A walk-up apartment structure of two or three stories having three or more dwelling units, each of which occupies only one story.
- 1.2505 GROUP CARE FACILITY. Structures housing more than five persons of any age who are not members of the provider's family. They are classified as one of the following:
- A. Structures used for the lodging and care of ambulatory persons who may be either handicapped to a degree which makes total self dependence either impossible or undesirable, but who possess sufficient faculties to recognize an emergency situation and to react immediately and positively to attain self preservation. EXCEPTION: Facilities licensed as Homes for the Aged.

- B. Structures used for the lodging and supervision of persons who are not handicapped whose place of residence therein is dictated by an authorized and duly responsible governmental agency exercising legal restraint over the occupants. EXCEPTION: Facilities licensed as Homes for the Aged.
 - C. Child Care Facilities providing temporary care of children where the ratio of supervision is less than 1:10 or staff members are allowed to sleep.
- 1.2509 HEARINGS OFFICER. A person appointed to conduct public hearings and take action in "action proceedings" as specified by this Ordinance.
 - 1.257 HISTORICAL RESOURCES. Those districts, sites, buildings, structures and artifacts which have a relationship to events or conditions of the human past.
 - 1.258 HOME FOR THE AGED. A building or part thereof where board and domiciliary care is rendered for compensation to three or more aged persons, as defined by MCC 6.40.010.
 - 1.355 LOT, CORNER. A lot which occupies an interior angle of less than 135 degrees formed by the intersection of two streets or a street and an accessway.
 - 1.422 MOBILE HOME. A structure transportable in one or more sections, each built on a permanent chassis, and which is designed to be used for permanent occupancy as a dwelling.
 - 1.424 MOBILE HOME PARK. Any place where two or more mobile homes are located within 500 feet of one another on a lot, tract or parcel of land where space is rented or kept for rent to any person for a charge or fee paid or to be paid for the rental or use of facilities or to offer space free in connection with securing the trade or patronage of such person.
 - 1.435 MULTIPLEX DWELLING STRUCTURE. A rowhouse or townhouse apartment structure.
 - 1.442 NURSING HOME. A building or part thereof in which:
 - A. Convalescent and/or chronic care is rendered in exchange for compensation to two or more patients. Convalescent and/or chronic care includes, but is not limited to the procedures commonly employed in nursing and caring for the sick;
 - B. Persons who are acutely ill or are surgical or maternity cases are excluded;

C. Qualified personnel and a consulting physician are available at all times; and

D. Isolation facilities are provided.

- 1.452 PERMIT SECTION. The division of the Department of Environmental Services authorized to issue building and other land development permits.
- 1.453 PERMITTED USE OR PRIMARY USE. A use permitted in a district without the need for special administrative review and approval, upon satisfaction of ordinance standards and requirements.
- 1.454 PLANNING COMMISSION. The commission established under MCC 11.05.010(B).
- 1.462 PRIVATE DRIVEWAY. A private street which is part of and provides access only to one lot or parcel. (See "Flaglot")
- 1.464 PRIVATE STREET. A street which is either a private driveway or an accessway, which is under private ownership, and which passes through or alongside the full length or width of a separate lot or parcel, either existing or proposed.
- 1.4705 RECREATIONAL VEHICLE PARK. Any place where two or more vehicles designed and used for temporary human occupancy are located within 500 feet of each other on a lot, parcel or tract which is rented or kept for rent for periods of one month or less.
- 1.485 ROWHOUSE. A one-story apartment structure having three or more dwelling units.
- 1.505 SERVICE STATION. Any place operated for the purpose of retailing and delivering motor vehicle fuel into the fuel tanks of motor vehicles.
- 1.585 TOWNHOUSE. An apartment structure of two or more stories having three or more dwelling units which share common walls but not floors and ceilings.
- 1.625 USE UNDER PRESCRIBED CONDITIONS. A use permitted in a district when administratively approved by the Planning Director upon findings by the Director, without action proceeding, that the conditions or criteria of approval specified in this Ordinance have been met.

SECTION 2 AMENDMENT REVISING DEFINITIONS.

The following subsections of Ordinance No. 100 are amended to read:

- 1.00 DEFINITIONS. As used in this Ordinance, unless the context requires otherwise, the following words and their derivations shall have the meanings provided below:

- 1.07 APARTMENT. Any building or portion thereof used for or containing three or more dwelling units.
- 1.18 DWELLING, SINGLE FAMILY DETACHED. A detached building designed for one dwelling unit.
- 1.19 DWELLING, DUPLEX OR TWO-UNIT. A detached building designed for two dwelling units, whether in separate or single ownership.
- 1.23 FRONTAGE. That portion of a lot on one side of a street between two intersecting streets, accessways or other rights-of-way (crossing or terminating) measured along the line of the street, or, for a dead-end street or an accessway, all the property between an intersecting street or other right-of-way and the dead-end of the street or accessway.
- 1.26 HOME OCCUPATION. Any lawful activity not otherwise specifically provided for in this Ordinance, commonly carried on within a dwelling unit or accessory building by the occupant thereof, no employee or other person being engaged in the same, which activity is secondary to the use of the property for residential purposes, provided that there is no outside advertising or display of merchandise, that no sale of merchandise is made from the premises, and that noise, odor, smoke, gases, fallout, vibration, heat or glare resulting from the activity is undetectable at any property line.
- 1.28 HOTEL. Any building containing six or more rooms designed to be used, or which are used, by paying guests for sleeping purposes.
- 1.35 LOT AREA. The total horizontal area within the lot lines of a lot but not including the private driveway area of a flag lot.
- 1.37 LOT LINES. The lines bounding a lot, but not the lines bounding the private driveway portion of a flag lot.
- 1.38 LOT LINE, FRONT. In the case of an interior lot, a line separating the lot from the street or accessway; in the case of a corner lot, a line separating the narrowest frontage of the lot from a street or accessway; and in the case of a flag lot, the lot line closest to and most nearly parallel with the street which serves the lot.
- 1.40 LOT LINE, SIDE. Any lot line not a front or rear lot line.
- 1.43 MOTEL. Same as hotel.
- 1.53 STORY. [Add to definition]: Exception: For the purpose of calculating the minimum lot size for a garden apartment or an apartment structure, a basement devoted to one or more dwelling units shall be deemed a story.

- 1.63 YARD. An open space, on a lot with a building and bounded on one or more sides by such building, such space being unoccupied and unobstructed from thirty inches above the ground upward, except as otherwise specified in the district. A yard satisfying the yard requirement for one building shall not satisfy the yard requirement for another building.
- 1.65 YARD, REAR. A yard extending across the full width of the lot between the most rear building other than an accessory building and the rear lot line. The depth of the required rear yard shall be measured horizontally from the nearest point of the rear lot line toward the nearest part of the building. Where there is no rear lot line, the depth of the rear yard shall be the distance from a ten foot line parallel to the front lot line, measured from one side line to the other.
- 1.66 YARD, SIDE. A yard between any building and the side lot line, extending from the front yard to the rear yard, or front lot line to rear lot line where no front yard or rear yard is required. The width of the required side yard shall be measured horizontally from the nearest point of the side lot line to the nearest part of the building.

SECTION 3 AMENDMENT REPEALING CERTAIN DEFINITIONS.

The following subsections of Ordinance No. 100 are repealed:

- 1.09 [Board of Adjustment.]
- 1.12 [Building Department.]
- 1.20 [Dwelling, Apartment.]
- 1.29 [Housing Project.]
- 1.42 [Lot Width, Average.]
- 1.45 [Parking Space.]
- 1.58 [Tourist Court.]
- 1.59 [Trailer.]
- 1.60 [Trailer Park.]

SECTION 4 AMENDMENT ADDING TO LIST OF DISTRICTS.

Sections 2.00 through 2.31 of Ordinance No. 100 are amended to read:

- 2.00 DISTRICTS. The County of Multnomah, outside incorporated cities is hereby divided into the following districts:

2.10

GENERAL OR UNDERLYING DISTRICTS.

| <u>SHORT TITLE</u> | <u>DISTRICT</u> |
|--------------------|---|
| EFU-38 | Exclusive Farm Use District with a minimum lot size of 38 acres. |
| CFU-38 | Commercial Forest Use District with a minimum lot size of 38 acres. |
| MUA-20 | Multiple Use Agricultural District with a minimum lot size of 20 acres. |
| MUF-20 | Multiple Use Forest District with a minimum lot size of 20 acres. |
| RR | Rural Residential District with a minimum lot size of 5 acres. |
| RC | Rural Center District with a minimum lot size of 1 acre. |
| F-2 | Agricultural District with the minimum lot size for one dwelling dependent upon location, services, soil type and use capability factors. |
| SR | Suburban Residential District, with a variable lot size depending upon services available to each lot. |
| UF-20 | Urban Future District with a minimum lot size of 20 acres. |
| UF-10 | Urban Future District with a minimum lot size of 10 acres. |
| LR-40 | Urban Low Density Residential District, with a minimum lot size of 40,000 square feet for one dwelling. |
| LR-30 | Urban Low Density Residential District, with a minimum lot size of 30,000 square feet for one dwelling. |
| LR-20 | Urban Low Density Residential District, with a minimum lot size of 20,000 square feet for one dwelling. |

- LR-10 Urban Low Density Residential District, with a minimum lot size of 10,000 square feet for one dwelling.
- LR-7.5 Urban Low Density District, with a minimum lot size of 7,500 square feet for one dwelling.
- LR-7 Urban Low Density Residential District, with a minimum lot size of 7,000 square feet for one dwelling.
- LR-5 Urban Low Density Residential District, with a minimum lot size of 5,000 square feet for one dwelling.
- MR-4 Urban Medium Density Residential District, with a density range from 7.2 to 10.9 dwelling units per acre.
- MR-3 Urban Medium Density Residential District, with a density range from 8.1 to 20.7 dwelling units per acre.
- HR-2 Urban High Density Residential District, with a density range from 8.1 to 20.7 dwelling units per acre.
- HR-1 Urban High Density Residential District, with a density range from 8.1 to 58 dwelling units per acre.
- R-40 Single Family Residential District, with a minimum lot size of 40,000 square feet.
- R-30 Single Family Residential District, with a minimum lot size of 30,000 square feet.
- R-20 Single Family Residential District, with a minimum lot size of 20,000 square feet.
- R-10 Single Family Residential District, with a minimum lot size of 10,000 square feet.

| | |
|-------|---|
| R-7 | Single Family Residential District, with a minimum lot size of 7,000 square feet. |
| R-4 | Two-Family Residential District. |
| A-2 | Apartment Residential District. |
| A-1-B | Apartment Residential - Business Office District. |
| BPO | Urban Business Office District. |
| LC | Urban Local Commercial District. |
| NC | Urban Neighborhood Commercial District. |
| GC | Urban General Commercial District. |
| EC | Urban Extensive Commercial District. |
| SC | Urban Strip Conversion District. |
| C-4 | Local Commercial District. |
| C-3 | Retail Commercial District. |
| C-2 | General Commercial District. |
| LM | Urban Light Manufacturing District. |
| GM | Urban General Manufacturing District. |
| HM | Urban Heavy Manufacturing District. |
| M-4 | Manufacturing-Industrial Park District. |
| M-3 | Light Manufacturing District. |
| M-2 | General Manufacturing District. |
| M-1 | Heavy Manufacturing District. |

2.20 SPECIAL DISTRICTS.

SHORT TITLE

DISTRICT

| | |
|----|--|
| LF | Airport Landing Field District |
| OP | Off-Street Parking and Loading District. |

| | |
|------------|--|
| PD | Planned Development District. |
| FH, FW, FF | Flood Hazard, Flood Way, and Flood Fringe Districts. |
| WRG | Willamette River Greenway District. |
| SEC | Significant Environmental Concern District. |
| HP | Heritage Preservation District. |
| SPA | Special Plan Area District. |

2.30 ZONING MAP. The designations, locations and boundaries of the respective districts and certain combinations thereof described in this Ordinance are established as shown by appropriate color designations, symbol or short title identification upon the "Multnomah County Zoning Map", which consists of a series of bound and indexed sectional zoning maps numbered sheets 1 through 828. The zoning map and all pertinent information shown thereon is incorporated herein and is to be deemed as much a part of this Ordinance as if fully set forth; however, if a conflict appears between the Zoning Map and the written portion of this Ordinance, the written portion shall control.

2.31 The Zoning Map and each amendment thereto shall be and remain on file in the office of the Director of the Department of Environmental Services.

SECTION 5 AMENDMENT CORRECTING SEC. 3.144 of MUF-20 DISTRICT.

Subsection 3.144.1.b. of Ordinance No. 100 is amended to read:

- b. Be situated upon land generally unsuitable for commercial forest use or the production of farm crops and livestock, considering the terrain, adverse soil or land conditions, drainage and flooding, vegetation, and the location or size of the tract;

SECTION 6 AMENDMENT DELETING SOIL CLASS IN CONSIDERING RURAL RESIDENTIAL
RR CONDITIONAL USES.

Subsection 3.153.3 or Ordinance No. 100 is amended to read:

3.153.3 CONDITIONAL USES.

The following uses may be permitted when found by the Hearings Officer to satisfy the applicable ordinance standards:

- (A) Community Service Uses under the provisions of Section 7.00;
- (B) The following Conditional Uses under the provisions of Section 7.50:
 - (1) Operations conducted for the mining and processing of geothermal resources as defined by ORS 522.005 or exploration, mining and processing of aggregate and other mineral or sub-surface resources;
 - (2) Commercial processing of agricultural products, primarily raised or grown in the region;
 - (3) Raising of any type of fowl, or processing the by-products thereof, for sale at wholesale or retail;
 - (4) Feed lots;
 - (5) Raising of four or more swine more than four months of age;
 - (6) Raising of fur-bearing animals for sale at wholesale or retail;
 - (7) Commercial dog kennels;
 - (8) Rural Planned Developments for single-family residences as provided in Section 7.10; and
 - (9) Cottage industries, under the provisions of Section 7.50.

SECTION 6A AMENDMENT EXCLUDING CERTAIN AGRICULTURAL ACTIVITIES IN RURAL CENTER DISTRICT RC.

Subsection 3.163.1 a.3. of Ordinance No. 100 is amended to add the following:

This subsection does not permit the raising of fowl or fur-bearing animals for sale, the keeping or swine, or a feed lot.

SECTION 7 AMENDMENT CORRECTING SEC. 3.163 OF RC DISTRICT.

Subsection 3.163.5 of Ordinance No. 100 is amended to read:

3.163.5 TEMPORARY USES, when approved under subsections 12.71 and 12.72.

SECTION 8 AMENDMENT CORRECTING SEC. 3.164 OF RC DISTRICT.

Ordinance No. 100 is amended by adding the following subsection:

3.164 DIMENSIONAL REQUIREMENTS.

- a. Except as provided in subsections 3.164.1, 3.164.2, 3.165, and 7.104.1, the minimum lot size shall be one acre.
 - 1. That portion of a street which would accrue to an adjacent lot if the street were vacated shall be included in calculating the area of such lot.

b.

| Minimum Front Lot Line Length | Maximum Structure Height | | Minimum Yard Dimensions-Feet | | | |
|-------------------------------|--------------------------|------|------------------------------|------|-------------|------|
| | | | Front | Side | Street Side | Rear |
| | Stories | Feet | | | | |
| 50 feet | 2-1/2 | 35 | 30 | 10 | 30 | 30 |

- 1. The minimum yard requirement shall be increased where the yard abuts a street having insufficient right-of-way width to serve the area. The Planning Commission shall determine the necessary right-of-way widths and additional yard requirements not otherwise established by ordinance.
- 2. Structures such as barns, silos, windmills, antennae, chimneys, or similar structures may exceed the height requirement if located at least 30 feet from any property line.

SECTION 9 AMENDMENT ADDING URBAN RESIDENTIAL DISTRICTS.

Subsections 3.20 through 3.015 of Ordinance No. 100 are amended to read:

3.20 URBAN FUTURE DISTRICTS - GENERAL PROVISIONS.

3.201 AREA AFFECTED. This subsection shall apply to those lands designated UF-20 and UF-10 on the Multnomah County Zoning Map.

3.202 PURPOSES. The purposes of the Urban Future Districts are to implement the growth management policy of the Community Plans; to provide for appropriate interim uses which are consistent with the resource base, community identity and unique natural features, pending the reclassification of specific areas for urban uses; to retain the land suitable for future urbanization in large parcels in consideration of the levels of public services available, the characteristics of current uses, the needs for larger sites for planned future uses and for maximum flexibility in the preparation of future development plans; and to provide for public review of other use proposals in order to assure compatibility with applicable County policies.

3.203 LOT OF RECORD.

(A) For the purposes of these districts, a Lot of Record is a parcel of land:

(1) for which a deed or other instrument dividing land was recorded with the Department of Administrative Services, or was in recordable form, prior to the effective date of Ordinance No. _____; and

(2) which, when established, satisfied all applicable laws.

(B) A Lot of Record which has less than the area or front lot line minimums required may be occupied by any use permitted in the district when in compliance with the other requirements of the district.

(C) Except as otherwise provided in subsections 3.203(B) and 3.205(D), no sale or conveyance of any portion of a lot, other than for a public purpose, shall leave a structure on the remainder of the lot with less than the minimum lot or yard requirements or result in a lot with less than the area or width requirements of the applicable district.

3.204 ACCESS.

(A) Any lot in an Urban Future District shall have access from a public street or from a private street approved under the Land Division Chapter.

- (B) Access shall be improved according to the provisions of the Street Standards Chapter for public streets or the Site Development Standards Chapter for private streets.

3.205 EXCEPTIONS TO DIMENSIONAL REQUIREMENTS.

- (A) When a lot has been included in a future street plan approved under the Land Division Chapter, development of that lot, including area and setback requirements, shall be in compliance with the street and lotting pattern of that future street plan, or approved revision thereof, under subsection 1.246 of the Land Division Chapter.
- (B) The minimum yard requirement shall be increased to provide for street widening in the event a yard abuts a street having a width less than that specified for the functional classification by MCC Chapter 11.60.
- (C) Except as provided in the LF district, structures such as barns, silos, windmills, antennae, chimneys, or similar structures may exceed the height requirement if located at least 30 feet from any property line.
- (D) The Hearings Officer may grant a Lot of Exception to permit the creation of a lot smaller than the minimum required, after the effective date of Ordinance No. _____, when in compliance with the other dimensional requirements of the district. Any exception shall be based on findings that the proposal will:
 - (1) Substantially maintain or support the character and stability of the overall land use pattern of the area;
 - (2) Be compatible with accepted farming or forestry practices on adjacent lands;
 - (3) Be consistent with the purposes described in subsection 3.202;
 - (4) Satisfy the applicable standards of water supply, sewage disposal, and minimum access; and
 - (5) Not require public services beyond those existing in the area.
- (E) In no event shall the Lot of Exception provisions be used to divide any Lot of Record into more than two parcels.
- (F) The Hearings Officer may attach conditions to the approval of any Lot of Exception to insure that the use is consistent with the Comprehensive Plan and the purposes described in subsection 3.202.

- (G) The Planning Director may grant a Lot of Exception based on a finding that the permitted number of dwellings will not thereby be increased above that otherwise allowed in the district; provided that the decision of the Director may be appealed according to the provisions of subsections 12.38 and 12.39.
- 3.206 OFF-STREET PARKING AND LOADING. Off-street parking and loading shall be provided as required by Section 6.20.
- 3.207 SIGNS. The following signs shall be permitted in the Urban Future Districts:
- (A) A temporary sign advertising the sale or rental of the premises, with a maximum area on one side of eight square feet, erected not less than ten feet from the front property line;
 - (B) A sign stating the name of the owner or occupant of the property, with a maximum area on one side of two square feet; and
 - (C) Not more than two signs, with a combined area of not more than 18 square feet, advertising the sale of products raised or grown on the premises.
- 3.208 LOT SIZES FOR CONDITIONAL USES. Except as otherwise established by this Ordinance, the lot size for a conditional use shall be determined by the approval authority at the time of approval of the use, based upon:
- (A) The site size needs of the proposed use;
 - (B) The nature of the proposed use in relation to its impacts on nearby properties; and
 - (C) Consideration of the purposes of the district.
- 3.209 PROVISIONS FOR PRE-EXISTING USES.
- (A) A use listed as a Conditional Use in the Urban Future District which was legally established prior to the effective date of Ordinance No. _____, shall be deemed conforming and not subject to the provisions of subsection 12.75; provided, however, that:
 - (1) Any change from one conditional use permitted in the district to another such conditional use shall be subject to approval under the conditional use provisions of the district; and
 - (2) Any alteration of such conditional use listed in the district shall be subject to Design Review under the provisions of Section 7.60.

(B) A use conforming to the provisions of Ordinance No. 100 prior to the effective date of Ordinance No. _____, but not thereby listed in the applicable district as a primary use, use under prescribed conditions or conditional use, is subject to the provisions of subsections 7.560 through 7.567.1.

3.210 APPEAL OF ADMINISTRATIVE DECISION. A decision of the Planning Director on an application for a Use Under Prescribed Conditions may be appealed by the applicant to the Hearings Officer in the manner provided in subsections 12.38 and 12.39.

- 3.22 URBAN FUTURE DISTRICT. UF-20.
- 3.221 AREA AFFECTED. This subsection shall apply, in addition to the provisions of subsection 3.20, to those lands designated UF-20 on the Multnomah County Zoning Map.
- 3.222 USES. Except as otherwise provided in Ordinance No. 100, 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 uses listed in subsections 3.223 through 3.225.
- 3.223 PRIMARY USES.
- (A) Residential use consisting of a single-family detached dwelling constructed on a lot;
 - (B) Any agricultural or horticultural use or animal husbandry use or combination thereof, except as provided in subsection 3.225(B);
 - (C) The propagation or harvesting of forest products; and
 - (D) Public and private conservation areas and structures for the protection of water, soil, open space, forest and wildlife resources.
- 3.224 USES UNDER PRESCRIBED CONDITIONS. The uses permitted subject to prescribed conditions for each use are:
- (A) Residential use, consisting of a single-family detached dwelling constructed off-site, including a mobile or modular home, subject to the following conditions:
 - (1) Construction shall comply with the standards of the Building Code or as prescribed in ORS 446.002 through 446.200 relating to mobile homes.
 - (2) The dwelling shall be attached to a foundation for which a building permit has been obtained.
 - (3) The dwelling shall have a minimum floor area of 600 square feet;
 - (B) Residential use consisting of a dwelling, for the housing of help required to carry out a primary use permitted by subsection 3.223(B) when the dwelling occupies the same lot as a residence permitted by subsections 3.223(A) or 3.224(A), subject to the following conditions:
 - (1) In the event the dwelling is constructed off-site, construction shall comply with subparagraphs (A)(1) and (3) of this subsection.

- (2) The standards of subsection 3.226 shall be satisfied; and
 - (3) The minimum distance between dwellings shall be 20 feet.
- (C) Wholesale or retail sales of farm, horticultural, or forest products raised or grown on the premises or in the immediate vicinity, subject to the following conditions:
- (1) The location and design of any building, stand or sign in conjunction with wholesale or retail sales shall be subject to approval of the Planning Director on a finding that the location and design are compatible with the character of the area; provided that the decision of the Director may be appealed according to the provisions of subsections 12.38 and 12.39;
 - (D) Home occupations, as defined in subsection 1.26;
 - (E) Other structures or uses customarily accessory or incidental to any use permitted or approved in this district; and
 - (F) Temporary uses under the provisions of subsection 12.71.

3.225 CONDITIONAL USES. The following uses may be permitted when found by the Hearings Officer to satisfy the applicable ordinance standards:

- (A) Community Service Uses under the provisions of Section 7.00;
- (B) The following Conditional Uses, under the provisions of Section 7.50:
 - (1) Operations conducted for the mining and processing of geothermal resources as defined by ORS 522.005 or exploration, mining and processing of aggregate and other mineral or subsurface resources;
 - (2) Commercial processing of agricultural products primarily raised or grown in the region;
 - (3) Raising any type of fowl, or processing the by-products thereof, for sale at wholesale or retail;
 - (4) Feed lots;
 - (5) Raising of four or more swine over four months of age;
 - (6) Raising of furbearing animals for sale at wholesale or retail;
 - (7) Commercial dog kennels; and

(8) Storage and sorting of logs and the preparation of log rafts;
and

(C) Other conditional uses as listed in Section 7.50.

(D) A health hardship annual temporary permit under subsection 12.72 through 12.72.3.

3.226 DIMENSIONAL REQUIREMENTS.

(A) Except as provided in subsections 3.203(B), 3,205(A) and (D), and 3.208, the minimum lot size shall be 20 acres.

(1) That portion of a street which would accrue to an adjacent lot if the street were vacated shall be included in calculating the area of such lot.

(B)

| Minimum Front Lot Line Length | Maximum Structure Height | | Minimum Yard Dimensions-Feet | | | |
|-------------------------------|--------------------------|------|------------------------------|------|-------------|------|
| | | | Front | Side | Street Side | Rear |
| | Stories | Feet | | | | |
| 50 feet | 2-1/2 | 35 | 30 | 10 | 30 | 30 |

(C) Parcels of land which are contiguous and in which greater than possessory interests are held by the same person, partnership or business entity shall be aggregated to comply as nearly as possible with the area or front lot line minimums of this district. The word "contiguous" shall refer to parcels of land which have any common boundary and shall include, but not be limited to parcels separated only by an alley, street or other right-of-way.

Nothing in this subsection shall be deemed to alter or amend the other provisions of this Ordinance.

3.26 URBAN FUTURE DISTRICT. UF-10.

3.261 AREA AFFECTED. This subsection shall apply in addition to the provisions of subsection 3.20 to those lands designated UF-10 on the Multnomah County Zoning Map.

3.262 USES. Except as otherwise provided in Ordinance No. 100, 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 uses listed in subsections 3.263 through 3.265.

3.263 PRIMARY USES.

- (A) Residential use consisting of a single-family detached dwelling constructed on a lot;
- (B) Any agricultural or horticultural use or animal husbandry use or combination thereof, except as provided in subsection 3.265(B);
- (C) The propagation or harvesting of forest products; and
- (D) Public and private conservation areas and structures for the protection of water, soil, open space, forest and wildlife resources.

3.264 USES UNDER PRESCRIBED CONDITIONS. The uses permitted subject to prescribed conditions for each use are:

- (A) Residential use, consisting of a single-family dwelling constructed off-site, including a mobile or modular home, subject to the following conditions:
 - (1) Construction shall comply with the standards of the Building Code or as prescribed in ORS 446.002 through 446.200 relating to mobile homes.
 - (2) The dwelling shall be attached to a foundation for which a building permit has been obtained.
 - (3) The dwelling shall have a minimum floor area of 600 square feet;
- (B) Residential use consisting of a dwelling for the housing of help required to carry out a primary use permitted by subsection 3.263(B) when the dwelling occupies the same lot as a residence permitted by subsections 3.263(A) or 3.264(A), subject to the following conditions:

- (1) In the event the dwelling is constructed off-site, construction shall comply with subparagraphs (A) (1) and (3) of this subsection.
 - (2) The standards of subsection 3.266 shall be satisfied; and
 - (3) The minimum distance between dwellings shall be 20 feet.
- (C) Wholesale or retail sales of farm, horticultural or forest products raised or grown on the premises or in the immediate vicinity, subject to the following conditions:
- (1) The location and design of any building, stand or sign in conjunction with wholesale or retail sales shall be subject to approval of the Planning Director on a finding that the location and design are compatible with the character of the area; provided that the decision of the Director may be appealed according to the provisions of subsections 12.38 and 12.39;
- (D) Home occupations, as defined in subsection 1.26;
- (E) Other structures or uses customarily accessory or incidental to any use permitted or approved in this district; and
- (F) Temporary uses under the provisions of subsection 12.71.

3.265

CONDITIONAL USES. The following uses may be permitted when found by the Hearings Officer to satisfy the applicable ordinance standards:

- (A) Community Service Uses under the provisions of Section 7.00;
- (B) The following Conditional Uses under the provisions of Section 7.50:
 - (1) Operations conducted for the mining and processing of geothermal resources as defined by ORS 522.005 or exploration, mining and processing of aggregate and other mineral or sub-surface resources;
 - (2) Commercial processing of agricultural products primarily raised or grown in the region;
 - (3) Raising any type of fowl, or processing the by-products thereof, for sale at wholesale or retail;
 - (4) Feed lots;

- (5) Raising of four or more swine over four months of age;
 - (6) Raising of furbearing animals for sale at wholesale or retail; and
 - (7) Commercial dog kennels;
- (C) Other conditional uses as listed in Section 7.50; and
- (D) A health hardship annual temporary permit, under subsections 12.72 through 12.72.3.

3.266 DIMENSIONAL REQUIREMENTS.

- (A) Except as provided in subsections 3.203(B), 3,205(A) and (D), 3.208, and subsection (C) of this Section, the minimum lot size shall be 10 acres.
- (1) That portion of a street which would accrue to an adjacent lot if the street were vacated shall be included in calculating the area of such lot.

| Minimum Front Lot Line Length | Maximum Structure Height | | Minimum Yard Dimensions-Feet | | | |
|-------------------------------|--------------------------|------|------------------------------|------|-------------|------|
| | | | Front | Side | Street Side | Rear |
| | Stories | Feet | | | | |
| 50 feet | 2-1/2 | 35 | 30 | 10 | 30 | 30 |

- (C) Separate Lots of Record shall be deemed created when a street or zoning district boundary intersects a parcel of land.

3.30 URBAN LOW DENSITY RESIDENTIAL DISTRICTS - GENERAL PROVISIONS.

3.301 AREA AFFECTED. This Section shall apply to those lands designated LR-40, LR-30, LR-20, LR-10, LR-7.5, LR-7, and LR-5 on the Multnomah County Zoning Map.

3.302 PURPOSES. The purposes of the Urban Low Density Residential Districts are to provide for a choice of lower density housing locations and types, together with related and accessory uses; to assure adequate and safe access to residential uses; to assure lotting patterns and building areas which take maximum advantage of climatic conditions and means for efficient use of energy; to create and maintain long-term community stability; to assure that housing developments are consistent with the Comprehensive Plan and the various Community Plans.

3.303 LOT OF RECORD.

- (A) For the purposes of these districts, a Lot of Record is a parcel of land for which a deed or other instrument dividing land was recorded with the Department of Administrative Services, or was in recordable form prior to the effective date of Ordinance No. _____.
- (B) A Lot of Record which has less than the area minimum required, but at least 3,000 square feet, may be occupied by a single-family detached dwelling or approved use when in compliance with the other requirements of the applicable district.
- (C) A Lot of Record which has less than the front lot line minimums required may be occupied by any use permitted in the district when in compliance with the other requirements of the applicable district.
- (D) No sale or conveyance of any portion of a lot, other than for a public purpose, shall leave a structure on the remainder of the lot with less than minimum lot or yard requirements or result in a lot with less than the area or width requirements of the applicable district.

3.304 ACCESS.

- (A) Any lot in an Urban Low Density Residential District shall have access from a public street or from a private street approved under the Land Division Chapter.
- (B) Access shall be improved according to the provisions of the Street Standards Chapter for public streets or the Site Development Standards Chapter for private streets.

EXCEPTIONS TO DIMENSIONAL REQUIREMENTS.

- (A) When a lot has been included in a future street plan approved under the Land Division Chapter, development of that lot, including area and setback requirements, shall be in compliance with the street and lotting pattern of that future street plan, or approved revision thereof, under subsection 1.246 of the Land Division Chapter.
- (B) In acting to approve a land division under the Land Division Chapter, the approval authority may grant an exception not to exceed ten percent of the lot area or 25 percent of any other dimensional requirement upon findings that such exception will result in any of the following:
 - (1) More efficient use of the site;
 - (2) A greater degree of privacy, safety or freedom from noise, fumes or glare;
 - (3) An improved solar and climatic orientation;
 - (4) The preservation of natural features, where appropriate; or
 - (5) The provision of pedestrian circulation facilities where needed.
- (C) Cornices, eaves, belt courses, sills, canopies, or similar architectural features may extend or project into a required yard not more than 30 inches. Fireplace chimneys may project into a required front, side or rear yard not more than two feet, provided the width of such side yard is not reduced to less than three feet.
- (D) Open porches or balconies, not more than 30 inches in height and not covered by a roof or canopy, may extend or project into a required rear yard not more than four feet and such porches may extend into a required front yard not more than 30 inches.
- (E) The minimum yard requirement shall be increased to provide for street widening in the event a yard abuts a street having a width less than that specified for the functional classification by MCC Chapter 11.60.
- (F) A fence, lattice work, screen, wall, or similar feature with a maximum height of six feet may be located in any required yard, provided, however, that the maximum height shall be four feet if the feature is within 15 feet of a front property line or five feet of a street side property line.

- (G) Except as provided in the LF District, chimneys, antennae or similar structures may exceed height maximums established by ordinance if located at least 20 feet from any property line.
 - (H) A two-unit dwelling may be located with one unit on each of two adjoining lots. In such event, the minimum lot size and yard requirements shall apply to each unit, except that no yard shall be required between the units.
- 3.306 OFF-STREET PARKING AND LOADING. Offstreet parking and loading shall be provided as required by Section 6.20.
- 3.307 SIGNS. The following shall be permitted on any lot in the Urban Low Density Residential Districts:
- (A) A sign of a temporary nature, not artificially illuminated, advertising the sale or rental of a premises, having a maximum area on one side of eight square feet. Any such sign shall be erected at least ten feet behind the front property line;
 - (B) A sign of a temporary nature, not artificially illuminated, advertising the sale of a tract of land or a land division or development with a maximum area on one side of 80 square feet, when erected at least ten feet behind the front property line. The location of any such sign shall be approved by the Planning Director before erection in regard to road safety, view obstruction, residential privacy, or other such conditions;
 - (C) A sign stating the name of the owner or occupant of the property having a maximum area on one side of two square feet; and
 - (D) In transitional areas, a sign, illuminated or otherwise, but not of a flashing intermittent type, having a maximum area on one side of 18 square feet. Any such sign shall pertain only to the use conducted within a building located on the lot. An artificially illuminated sign shall not be permitted if it faces an abutting residential district.
- 3.308 LOT SIZES FOR CONDITIONAL USES. Except as otherwise established by this Ordinance, the lot size for a conditional use shall be determined by the approval authority at the time of approval of the use, based upon:
- (A) The site size needs of the proposed use;
 - (B) The nature of the proposed use in relation to its impacts on nearby properties; and
 - (C) Consideration of the purposes of the district.

3.309 PROVISIONS FOR PRE-EXISTING USES.

- (A) A use listed as a Conditional Use in the Urban Low Density Residential District which was legally established prior to the effective date of Ordinance No. _____, shall be deemed conforming and not subject to the provisions of subsection 12.75; provided, however, that:
- (1) Any change from one conditional use permitted in the district to another such conditional use shall be subject to approval under the conditional use provisions of the district; and
 - (2) Any alteration of such conditional use listed in the district shall be subject to Design Review under the provisions of Section 7.60.
- (B) A use conforming to the provisions of Ordinance No. 100 prior to the effective date of Ordinance No. _____, but not thereby listed in the applicable district as a primary use, use under prescribed conditions or conditional use, is subject to the provisions of subsections 7.560 through 7.567.1.

3.310 APPEAL OF ADMINISTRATIVE DECISION. A decision of the Planning Director on an application for a Use Under Prescribed Conditions may be appealed by the applicant to the Hearings Officer in the manner provided in subsections 12.38 and 12.39.

- 3.32 URBAN LOW DENSITY RESIDENTIAL DISTRICT. LR-40.
- 3.321 AREA AFFECTED. This subsection shall apply in addition to the provisions of subsection 3.30, to those lands designated LR-40 on the Multnomah County Zoning Map.
- 3.322 USES. Except as otherwise provided in Ordinance No. 100, 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 uses listed in subsections 3.323 through 3.325.
- 3.323 PRIMARY USES.
- (A) Single-family detached dwelling.
- (1) For the purposes of this section, more than one single-family detached dwelling may be located on a lot provided that all of the applicable dimensional requirements of this district are met for each such dwelling and its accessory uses.
- (B) Public and private conservation areas and structures for the protection of water, soil, open space, forest and wildlife resources.
- 3.324 USES UNDER PRESCRIBED CONDITIONS. The uses permitted subject to prescribed conditions for each use are:
- (A) 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, provided:
- (1) The height or total ground floor area of accessory buildings shall not exceed the height or ground floor area of the main building on the same lot.
- (2) If attached to the main building, an accessory building shall comply with the yard requirements of this district.
- (3) 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, a one-story accessory building may be located adjacent to or on a rear and/or side lot line not abutting on a street.
- (4) A detached accessory building shall occupy no more than 25 percent of a required yard.
- (B) Where the side of a lot abuts a commercial or industrial district, the following transitional uses are permitted, provided they extend not more than 100 feet into the LR-40 district and otherwise conform to all requirements of this Ordinance which apply:

- (1) A two-unit dwelling;
- (2) A business or professional office or clinic;
- (3) Parking, developed as required in Section 6.20; and
- (4) Other uses of a transitional nature as determined by the Planning Commission.

(C) Farming, truck gardening, orchards and nurseries, provided that no retail or wholesale business sales office shall be maintained on the premises, and no poultry or livestock, other than normal household pets, shall be kept within 100 feet of any residence other than the dwelling on the same lot. This subsection does not permit the raising of fowl or fur-bearing animals for sale, the keeping of swine, or a feed lot.

(D) Except as otherwise authorized under Subsection 3.324(B) or Section 7.50, the parking or storage of not more than five motor vehicles per dwelling unit. Non-operating vehicles shall not be kept so as to be visible from a street.

(E) Home occupations, as defined in subsection 1.26.

(F) Temporary uses under the provisions of subsection 12.71.

3.325

CONDITIONAL USES. The following uses may be permitted when found by the approval authority to satisfy the applicable ordinance standards:

- (A) Community Service Uses under the provisions of Section 7.00;
- (B) Conditional Uses under the provisions of Section 7.50; and
- (C) A health hardship annual temporary permit, under subsections 12.72 through 12.72.3; and
- (D) Wholesale or retail sales of farm, horticultural or forest products raised or grown on the premises.

3.326

DIMENSIONAL REQUIREMENTS.

- (A) Except as provided in subsections 3.303(B) and 3.305(A) and (B), the minimum lot size for a single-family detached dwelling shall be 40,000 square feet.
- (B) The minimum lot size for a two-unit dwelling in a transitional area under subsection 3.324(B) shall be 12,000 square feet.
- (C) The minimum front lot line length shall be 30 feet.

(D) The minimum lot width at the building line shall be 100 feet.

(E) The maximum coverage shall be 20 percent.

(F)

| Minimum Yard Dimensions in Feet | | | | | Maximum Structure Height | |
|---------------------------------|-------|------|-------------|------|--------------------------|------|
| | Front | Side | Street Side | Rear | Stories | Feet |
| Interior Lot | 30 | 10 | N/A | 20 | | |
| Corner Lot | 30 | 10 | 10 | 20 | 2-1/2 | 35 |

(1) In the event a front yard less than the minimum has been legally established on one or both of the adjacent lots, the minimum front yard for an interior lot may be reduced to the average of the established or required adjoining front yards.

(2) The rear yard of a corner lot may be reduced to 10 feet, provided that the front yard is not less than 30 feet and the side yards are not less than 20 feet.

- 3.33 URBAN LOW DENSITY RESIDENTIAL DISTRICT. LR-30.
- 3.331 AREA AFFECTED. This subsection shall apply in addition to the provisions of subsection 3.30 to those lands designated LR-30 on the Multnomah County Zoning Map.
- 3.332 USES. Except as otherwise provided in Ordinance No. 100, 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 uses listed in subsections 3.333 through 3.335.
- 3.333 PRIMARY USES.
- (A) Single-family detached dwelling.
- (1) For the purposes of this section, more than one single-family detached dwelling may be located on a lot, provided that all of the applicable dimensional requirements of this district are met for each such dwelling and its accessory uses.
- (B) Public and private conservation areas and structures for the protection of water, soil, open space, forest and wildlife resources.
- 3.334 USES UNDER PRESCRIBED CONDITIONS. The uses permitted subject to prescribed conditions for each use are:
- (A) 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, provided:
- (1) The height or total ground floor area of accessory buildings shall not exceed the height or ground floor area of the main building on the same lot.
- (2) If attached to the main building, an accessory building shall comply with the yard requirements of this district.
- (3) 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, a one-story accessory building may be located adjacent to or on a rear and/or side lot line not abutting a street.
- (4) A detached accessory building shall occupy no more than 25 percent of a required yard.
- (B) Where the side of a lot abuts a commercial or industrial district, the following transitional uses are permitted, provided they extend not more than 100 feet into the LR-30 district, and provided they conform to all requirements of this Ordinance which apply:

- (1) A two-unit dwelling;
 - (2) A business or professional office or clinic;
 - (3) Parking, developed as required in Section 6.20; and
 - (4) Other uses of a transitional nature as determined by the Planning Commission.
- (C) Farming, truck gardening, orchards and nurseries, provided that no retail or wholesale business sales office shall be maintained on the premises, and no poultry or livestock other than normal household pets shall be kept within 100 feet of any residence other than the dwelling on the same lot. This subsection does not permit the raising of fowl or furbearing animals for sale, the keeping of swine, or a feed lot.
 - (D) Except as otherwise authorized under subsection 3.334(B) or Section 7.50, the parking or storage of not more than five motor vehicles per dwelling unit. Non-operating vehicles shall not be kept so as to be visible from a street.
 - (E) Home occupations, as defined in subsection 1.26; and
 - (F) Temporary uses under the provisions of subsection 12.71.

3.335

CONDITIONAL USES. The following uses may be permitted when found by the approval authority to satisfy the applicable ordinance standards:

- (A) Community Service Uses under the provisions of Section 7.00;
- (B) Conditional Uses under the provisions of Section 7.50;
- (C) A health hardship annual temporary permit, under subsection 12.72 through 12.72.3; and
- (D) Wholesale or retail sales of farm, horticultural or forest products raised or grown on the premises.

3.336

DIMENSIONAL REQUIREMENTS.

- (A) Except as provided in subsections 3.303(B) and 3.305(A) and (B), the minimum lot size for a single-family detached dwelling shall be 30,000 square feet.
- (B) The minimum lot size for a two-unit dwelling in a transitional area under subsection 3.334(B) shall be 12,000 square feet.
- (C) The minimum front lot line length shall be 30 feet.

- (D) The minimum lot width at the building line shall be 80 feet.
- (E) The maximum coverage shall be 25 percent.

(F)

| Minimum Yard Dimensions in Feet | | | | | Maximum Structure Height | |
|---------------------------------|-------|------|-------------|------|--------------------------|------|
| | Front | Side | Street Side | Rear | Stories | Feet |
| Interior Lot | 30 | 10 | N/A | 20 | | |
| Corner Lot | 30 | 10 | 10 | 20 | 2-1/2 | 35 |

- (1) In the event a front yard less than the minimum has been legally established on one or both of the adjacent lots, the minimum front yard for an interior lot may be reduced to the average of the established or required adjoining front yards.
- (2) The rear yard of a corner lot may be reduced to 10 feet provided that the front yard is not less than 30 feet and the side yards are not less than 20 feet.

- 3.34 URBAN LOW DENSITY RESIDENTIAL DISTRICT. LR-20.
- 3.341 AREA AFFECTED. This subsection shall apply in addition to the provisions of subsection 3.30 to those lands designated LR-20 on the Multnomah County Zoning Map.
- 3.342 USES. Except as otherwise provided in Ordinance No. 100, no building, structure or land shall be used and no buildings or structure shall be hereafter erected, altered or enlarged in this district except for the uses listed in subsections 3.343 through 3.345.
- 3.343 PRIMARY USES.
- (A) Single-family detached dwelling.
- (1) For the purposes of this section, more than one single-family detached dwelling may be located on a lot, provided that all of the applicable dimensional requirements of this district are met for each such dwelling and its accessory uses.
- (B) Public and private conservation areas and structures for the protection of water, soil, open space, forest and wildlife resources.
- 3.344 USES UNDER PRESCRIBED CONDITIONS. The uses permitted subject to prescribed conditions for each use are:
- (A) 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, provided:
- (1) The height or total ground floor area of accessory buildings shall not exceed the height or ground floor area of the main building on the same lot.
- (2) If attached to the main building, an accessory building shall comply with the yard requirements of this district.
- (3) 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, a one-story accessory building may be located adjacent to or on a rear and/or side lot line not abutting a street.
- (4) A detached accessory building shall occupy no more than 25 percent of a required yard.
- (B) Where the side of a lot abuts a commercial or industrial district, the following transitional uses are permitted, provided they extend not more than 100 feet into the LR-20 district, and provided they conform to all requirements of this Ordinance which apply:

- (1) A two-unit dwelling;
 - (2) A business or professional office or clinic;
 - (3) Parking, developed as required in Section 6.20; and
 - (4) Other uses of a transitional nature as determined by the Planning Commission.
- (C) Farming, truck gardening, orchards and nurseries, provided that no retail or wholesale business sales office shall be maintained on the premises, and no poultry or livestock other than normal household pets shall be kept within 100 feet of any residence other than the dwelling on the same lot. This subsection does not permit the raising of fowl or furbearing animals for sale, the keeping of swine, or a feed lot.
 - (D) Except as otherwise authorized under subsection 3.344(B) or Section 7.50, the parking or storage of not more than five motor vehicles per dwelling unit. Non-operating vehicles shall not be kept so as to be visible from a street.
 - (E) Home occupations, as defined in subsection 1.26.
 - (F) Temporary uses under the provisions of subsection 12.71.

3.345

CONDITIONAL USES. The following uses may be permitted when found by the approval authority to satisfy the applicable ordinance standards:

- (A) Community Service Uses under the provisions of Section 7.00;
- (B) Conditional Uses under the provisions of Section 7.50;
- (C) A health hardship annual temporary permit, under subsections 12.72 through 12.72.3; and
- (D) Wholesale or retail sales of farm, horticultural or forest products raised or grown on the premises.

3.346

DIMENSIONAL REQUIREMENTS.

- (A) Except as provided in subsections 3.303(B) and 3.305(A) and (B), the minimum lot size for a single-family detached dwelling shall be 20,000 square feet.
- (B) The minimum lot size for a two-unit dwelling in a transitional area under subsection 3.344(B) shall be 12,000 square feet.
- (C) The minimum front lot line length shall be 30 feet.

(D) The minimum lot width at the building line shall be 80 feet.

(E) The maximum coverage shall be 30 percent.

(F)

| Minimum Yard Dimensions in Feet | | | | | Maximum Structure Height | |
|---------------------------------|-------|------|-------------|------|--------------------------|------|
| | Front | Side | Street Side | Rear | Stories | Feet |
| Interior Lot | 30 | 10 | N/A | 20 | | |
| Corner Lot | 30 | 10 | 10 | 20 | 2-1/2 | 35 |

(1) In the event a front yard less than the minimum has been legally established on one or both of the adjacent lots, the minimum front yard for an interior lot may be reduced to the average of the established or required adjoining front yards.

(2) The rear yard of a corner lot may be reduced to 10 feet, provided that the front yard is not less than 30 feet and the side yards are not less than 20 feet.

3.35 URBAN LOW DENSITY RESIDENTIAL DISTRICT. LR-10.

3.351 AREA AFFECTED. This subsection shall apply, in addition to the provisions of subsection 3.30, to those lands designated LR-10 on the Multnomah County Zoning Map.

3.352 USES. Except as otherwise provided in Ordinance No. 100, 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 uses listed in subsections 3.353 through 3.355.

3.353 PRIMARY USES.

(A) Single-family detached dwelling.

(1) For the purposes of this section, more than one single-family detached dwelling may be located on a lot, provided that all of the applicable dimensional requirements of this district are met for each such dwelling and its accessory uses.

(B) Public and private conservation areas and structures for the protection of water, soil, open space, forest and wildlife resources.

3.354 USES UNDER PRESCRIBED CONDITIONS. The uses permitted subject to prescribed conditions for each use are:

(A) 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, provided:

(1) The height or total ground floor area of accessory buildings shall not exceed the height or ground floor area of the main building on the same lot.

(2) If attached to the main building, an accessory building shall comply with the yard requirements of this district.

(3) 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, a one-story accessory building may be located adjacent to or on a rear and/or side lot line not abutting a street.

(4) A detached accessory building shall occupy no more than 25 percent of a required yard.

(B) Where the side of a lot abuts a commercial or industrial district, the following transitional uses are permitted, provided they extend not more than 100 feet into the LR-10 district and conform to all requirements of this Ordinance which apply:

- (1) A two-unit dwelling;
 - (2) A business or professional office or clinic;
 - (3) Parking, developed as required in Section 6.20; and
 - (4) Other uses of a transitional nature as determined by the Planning Commission.
- (C) Farming, truck gardening, orchards and nurseries, provided that no retail or wholesale business sales office shall be maintained on the premises, and no poultry or livestock other than normal household pets, shall be kept within 100 feet of any residence other than the dwelling on the same lot. This subsection does not permit the raising of fowl or furbearing animals for sale, the keeping of swine, or a feed lot.
- (D) Except as otherwise authorized under subsection 3.354(B) or Section 7.50, the parking or storage of not more than five motor vehicles per dwelling unit. Non-operating vehicles shall not be kept so as to be visible from a street.
- (E) A two-unit dwelling under the following circumstances:
- (1) Located outside a "Developed Neighborhood" as designated in the Community Plan;
 - (2) On a corner lot or on a corner lot and an adjoining lot under subsection 3.305(H);
 - (3) In compliance with the minimum lot size requirement of subsection 3.356(B) and the other applicable dimensional requirements of this district; and
 - (4) With front entryways facing separate streets.
- (F) Home occupations, as defined in subsection 1.26.
- (G) Temporary uses under the provisions of subsection 12.71.

3.355

CONDITIONAL USES. The following uses may be permitted when found by the approval authority to satisfy the applicable ordinance standards:

- (A) Community Service Uses under the provisions of Section 7.00;
- (B) Conditional Uses under the provisions of Section 7.50;
- (C) A health hardship annual temporary permit under subsections 12.72 through 12.72.3; and

- (D) Wholesale or retail sales of farm, horticultural or forest products raised or grown on the premises.

3.356 DIMENSIONAL REQUIREMENTS.

- (A) Except as provided in subsection 3.303(B) and 3.305(A) and (B), the minimum lot size for a single-family detached dwelling shall be 10,000 square feet.
- (B) The minimum lot size for a two-unit dwelling shall be 12,000 square feet.
- (C) The minimum front lot line length shall be 30 feet.
- (D) The minimum lot width at the building line shall be 70 feet.
- (E) The maximum coverage shall be 35 percent.

| (F) Minimum Yard Dimension in Feet | Minimum Yard Dimension in Feet | | | | Maximum Structure Height | |
|------------------------------------|--------------------------------|------|-------------|------|--------------------------|------|
| | Front | Side | Street Side | Rear | Stories | Feet |
| Interior Lot | 30 | 10 | N/A | 20 | | |
| Corner Lot | 30 | 10 | 10 | 20 | 2-1/2 | 35 |

- (1) In the event a front yard less than the minimum has been legally established on one or both of the adjacent lots, the minimum front yard for an interior lot may be reduced to the average of the established or required adjoining front yards.
- (2) The rear yard of a corner lot may be reduced to 10 feet, provided that the front yard is not less than 30 feet and the side yards are not less than 20 feet.

3.36 URBAN LOW DENSITY RESIDENTIAL DISTRICT. LR-7.5.

3.361 AREA AFFECTED. This subsection shall apply, in addition to the provisions of subsection 3.30, to those lands designated LR-7.5 on the Multnomah County Zoning Map.

3.362 USES. Except as otherwise provided in Ordinance No. 100, 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 uses listed in subsections 3.363 through 3.365.

3.363 PRIMARY USES.

(A) Single-family detached dwelling.

(1) For the purposes of this Section, more than one single-family detached dwelling may be located on a lot, provided that all of the applicable dimensional requirements of this district are met for each such dwelling and its accessory uses.

(B) Public and private conservation areas and structures for the protection of water, soil, open space, forest and wildlife resources.

3.364 USES UNDER PRESCRIBED CONDITIONS. The use permitted subject to prescribed conditions for each use are:

(A) 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, provided:

(1) The height or total ground floor area of accessory buildings shall not exceed the height of ground floor area of the main building on the same lot.

(2) If attached to the main building, an accessory building shall comply with the yard requirements of this district.

(3) 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, a one-story accessory building may be located adjacent to or on a rear and/or side lot line not abutting a street.

(4) A detached accessory building shall occupy no more than 25 percent of a required yard.

(B) Where the side of a lot abuts a commercial or industrial district, the following transitional uses are permitted, provided they extend not more than 100 feet into the LR-7.5 district and conform to all requirements of this Ordinance which apply.

- (1) A two-unit dwelling;
 - (2) A business or professional office or clinic;
 - (3) Parking, developed as required in Section 6.20; and
 - (4) Other uses of a transitional nature as determined by the Planning Commission.
- (C) Farming, truck gardening, orchards and nurseries, provided that no retail or wholesale business sales office shall be maintained on the premises, and no poultry or livestock, other than normal household pets, shall be kept within 100 feet of any residence other than the dwelling on the same lot. This subsection does not permit the raising of fowl or fur-bearing animals for sale, the keeping of swine, or a feed lot.
- (D) Except as otherwise authorized under subsection 3.364(B) or Section 7.50, the parking or storage of not more than five motor vehicles per dwelling unit. Non-operating vehicles shall not be kept so as to be visible from a street.
- (E) A two-unit dwelling under the following circumstances:
- (1) Located outside a "Developed Neighborhood", as designated in the Community Plan;
 - (2) On a corner lot or on a corner lot and an adjoining lot under subsection 3.305(H);
 - (3) In compliance with the minimum lot size requirement of subsection 3.366(B) and the other applicable dimensional requirements of this district; and
 - (4) With front entryways facing separate streets.
- (F) A two-unit dwelling, provided all of the following conditions are satisfied:
- (1) Location is outside a "Developed Neighborhood" as designated in the Community Plan;
 - (2) The site is a flag lot or a lot having sole access from an accessway approved under the Land Division Chapter.
 - (3) Development will not increase the volume of traffic beyond the capacity of the public street serving the lot, as determined by the County Engineer;

- (4) Development will be designed to minimize adverse impacts on the privacy of adjacent property;
- (5) Development will assure the maximum possible preservation of natural features, where applicable; and
- (6) Development will be in compliance with the lot size requirement of subsection 3.366(B) and the other applicable dimensional requirements of this district.

(G) Home occupations, as defined in subsection 1.26.

(H) Temporary uses under the provisions of subsection 12.71.

3.365

CONDITIONAL USES. The following uses may be permitted when found by the approval authority to satisfy the applicable ordinance standards:

- (A) Community Service Uses under the provisions of Section 7.00;
- (B) Conditional Uses under the provisions of Section 7.50;
- (C) A health hardship annual temporary permit, under subsections 12.72 through 12.72.3; and
- (D) Wholesale or retail sales of farm, horticultural or forest products raised or grown on the premises.

3.366

DIMENSIONAL REQUIREMENTS.

- (A) Except as provided in subsections 3.303(B) and 3.305(A) and (B), the minimum lot size for a single-family detached dwelling shall be 7,500 square feet.
- (B) The minimum lot size for a two-unit dwelling shall be 10,000 square feet.
- (C) The minimum front lot line length shall be 30 feet.
- (D) The minimum lot width at the building line shall be 70 feet.
- (E) The maximum coverage shall be 40 percent.

| | Minimum Yard Dimensions in Feet | | | | Maximum Structure Height | |
|--------------|---------------------------------|------|-------------|------|--------------------------|------|
| | Front | Side | Street Side | Rear | Stories | Feet |
| Interior Lot | 30 | 10 | N/A | 15 | | |
| Corner Lot | 30 | 10 | 10 | 15 | 2-1/2 | 35 |

- (1) In the event a front yard less than the minimum has been legally established on one or both of the adjacent lots, the minimum front yard for an interior lot may be reduced to the average of the established or required adjoining front yards.
- (2) The rear yard of a corner lot may be reduced to 10 feet, provided that the front yard is not less than 30 feet and side yards are not less than 20 feet.
- (3) The maximum height for a single-family detached or two-unit dwelling on a flag lot or a lot having sole access from an accessway shall be 1-1/2 stories or 25 feet, unless the Planning Director shall find that a maximum height of 2-1/2 stories or 35 feet, whichever is less, will be consistent with established heights of structures on nearby lots, or will have no significant adverse impacts on the privacy of adjacent property.

3.37 URBAN LOW DENSITY RESIDENTIAL DISTRICT. LR-7.

3.371 AREA AFFECTED. This subsection shall apply, in addition to the provisions of subsection 3.30, to those lands designated LR-7 on the Multnomah County Zoning Map.

3.372 USES. Except as otherwise provided in Ordinance No. 100, 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 uses listed in subsections 3.373 through 3.375.

3.373 PRIMARY USES.

(A) Single-family detached dwelling.

(1) For the purposes of this Section, more than one single-family detached dwelling may be located on a lot, provided that all of the applicable dimensional requirements of this district are met for each such dwelling and its accessory uses.

(B) Public and private conservation areas and structures for the protection of water, soil, open space, forest and wildlife resources.

3.374 USES UNDER PRESCRIBED CONDITIONS. The uses permitted subject to prescribed conditions for each use are:

(A) 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, provided:

(1) The height or total ground floor area of accessory buildings shall not exceed the height or ground floor area of the main building on the same lot.

(2) If attached to the main building, an accessory building shall comply with the yard requirements of this district.

(3) 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, a one-story accessory building may be located adjacent to or on a rear and/or side lot line not abutting a street.

(4) A detached accessory building shall occupy no more than 25 percent of a required yard.

(B) Where the side of a lot abuts a commercial or industrial district, the following transitional uses are permitted, provided they extend not more than 100 feet into the LR-7 district and conform to all requirements of this Ordinance which apply:

- (1) A two-unit dwelling;
 - (2) A multiplex dwelling structure, when located in other than a "Developed Neighborhood", as designated in the Community Plan;
 - (3) A business or professional office or clinic;
 - (4) Parking, developed as required in Section 6.20; and
 - (5) Other uses of a transitional nature as determined by the Planning Commission.
- (C) Farming, truck gardening, orchards and nurseries, provided that no retail or wholesale business sales office shall be maintained on the premises, and provided that no poultry or livestock, other than normal household pets, shall be kept within 100 feet of any residence other than the dwelling on the same lot. This subsection does not permit the raising of fowl or furbearing animals for sale, the keeping of swine, or a feed lot.
- (D) Except as otherwise authorized, under subsection 3.374(B) or Section 7.50, the parking or storage of not more than five motor vehicles per dwelling unit. Non-operating vehicles shall not be kept so as to be visible from a street.
- (E) A two-unit dwelling, provided all of the following conditions are satisfied:
- (1) Location is outside a "Developed Neighborhood" as designated in the Community Plan;
 - (2) The site is a corner lot or on a corner lot and an adjoining lot, under subsection 3.305(H);
 - (3) Development is in compliance with the minimum lot size requirement of subsection 3.377(B) and the other applicable dimensional requirements of this district; and
 - (4) Front entryways facing separate streets are provided.
- (F) A two-unit dwelling, provided all of the following conditions are satisfied:
- (1) Location is outside a "Developed Neighborhood" as designated in the Community Plan;
 - (2) The site is a flag lot or a lot having sole access from an accessway approved under the Land Division Chapter;

- (3) Development will not increase the volume of traffic beyond the capacity of the public street serving the lot, as determined by the County Engineer;
- (4) Development will be designed to minimize adverse impacts on the privacy of adjacent property;
- (5) Development will assure the maximum possible preservation of natural features, where applicable; and
- (6) Development will be in compliance with the lot size requirement of subsection 3.377(B) and the other applicable dimensional requirements of the district.

(G) Home occupations, as defined in subsection 1.26.

(H) Temporary uses under the provisions of subsection 12.71.

3.375

CONDITIONAL USES. The following uses may be permitted when found by the approval authority to satisfy the applicable ordinance standards:

- (A) Community Service Uses under the provisions of Section 7.00;
- (B) Conditional Uses under the provisions of Section 7.50;
- (C) A health hardship annual temporary permit, under subsection 12.72 through 12.72.3; and
- (D) A multiplex or two-unit dwelling structure, under the provisions of Section 7.50, subject to the following findings and conditions:
 - (1) The site is outside a "Developed Neighborhood" as designated in the Community Plan;
 - (2) The proposal satisfies the applicable elements of Comprehensive Plan Policies:
 - (a) No. 19, Community Design,
 - (b) No. 21, Housing Choice,
 - (c) No. 22, Energy Conservation,
 - (d) No. 24, Housing Location, and
 - (e) No. 40, Development Requirements;
 - (3) Development will not increase the volume of traffic beyond the capacity of the public street serving the lot, as determined by the County Engineer; and

(4) Development will be in accordance with the locational requirements of subsection 3.376 or subsection 3.376.5, as appropriate.

(E) Mobile homes on individual lots or a mobile home park, under the provisions of Section 6.40; and

(F) Wholesale or retail sales of farm, horticultural or forest products raised or grown on the premises.

3.376 MULTIPLEX LOCATIONAL REQUIREMENTS. A multiplex dwelling structure approved under subsection 3.375(D) may be located only on one of the following:

(A) A corner lot;

(B) A flag lot;

(C) A lot having sole access from an accessway approved under the Land Division Chapter; or

(D) A lot having access from a public street created under the Land Division Chapter, when not more than 12 multiplex dwelling units having access from the same public street are located within 250 feet of each other.

3.376.1 Not more than six dwelling units shall be located in a multiplex dwelling structure approved under subsection 3.375(D).

3.376.5 TWO-UNIT DWELLING LOCATIONAL REQUIREMENTS.

A two-unit dwelling structure, approved under subsection 3.375(D) may be located only on a lot having access from a public street created under the Land Division Chapter, when not more than four such structures having access from the same public street are located within 200 feet of each other.

3.377 DIMENSIONAL REQUIREMENTS.

(A) Except as provided in subsections 3.303(B) and 3.305(A) and (B), the minimum lot size for a single-family detached dwelling shall be 7,000 square feet.

(B) The minimum lot size for a two-unit dwelling shall be 10,000 square feet.

(C) The minimum lot size for a multiplex dwelling structure shall be 5,000 square feet for each dwelling unit.

(D) The minimum lot size for a mobile home under Section 3.375(E) shall be 7,000 square feet.

- (E) The minimum front lot line length shall be 30 feet.
- (F) The minimum lot width at the building line shall be 60 feet.
- (G) The maximum coverage shall be 40 percent.

(H)

| Minimum Yard Dimensions in Feet | | | | Maximum Structure Height | | |
|---------------------------------|-------|------|-------------|--------------------------|---------|------|
| | Front | Side | Street Side | Rear | Stories | Feet |
| Interior Lot | 20 | 5 | N/A | 15 | | |
| Corner Lot | 20 | 5 | 10 | 15 | 2-1/2 | 35 |

- (1) In the event a front yard less than the minimum has been legally established on one or both of the adjacent lots, the minimum front yard for an interior lot may be reduced to the
- (2) The side yard adjacent to an accessway created under the Land Division Chapter may be reduced to five feet for a pre-existing structure, under the provisions of subsection 3.305(B).
- (3) The rear yard of a corner lot may be reduced to five feet, provided that the front and side yards are not less than 20 feet.
- (4) The maximum height for a single-family, two-unit or multiplex dwelling on a flag lot or a lot having sole access from an accessway shall be 1-1/2 stories or 25 feet, unless the approval authority shall find that a maximum height of 2-1/2 stories or 35 feet, whichever is less, will be consistent with the established heights of structures on nearby lots, or will have no significant adverse impacts on the privacy of adjacent property.

- 3.38 URBAN LOW DENSITY RESIDENTIAL DISTRICT. LR-5.
- 3.381 AREA AFFECTED. This subsection shall apply, in addition to the provisions of subsection 3.30, to those lands designated LR-5 on the Multnomah County Zoning Map.
- 3.382 USES. Except as otherwise provided in Ordinance No. 100, 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 uses listed in subsections 3.383 through 3.385.
- 3.383 PRIMARY USES.
- (A) Single-family detached dwelling.
- (1) For the purposes of this section, more than one single-family detached dwelling may be located on a lot, provided that all of the applicable dimensional requirements of this district are met for each such dwelling and its accessory uses.
- (B) Public and private conservation areas and structures for the protection of water, soil, open space, forest and wildlife resources.
- 3.384 USES UNDER PRESCRIBED CONDITIONS. The uses permitted subject to prescribed conditions for each use are:
- (A) 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, provided:
- (1) The height or total ground floor area of accessory buildings shall not exceed the height or ground floor area of the main building on the same lot.
- (2) If attached to the main building, an accessory building shall comply with the yard requirements of this district.
- (3) 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, a one-story accessory building may be located adjacent to or on a rear and/or side lot line not abutting a street.
- (4) A detached accessory building shall occupy no more than 25 percent of a required yard.
- (B) Where the side of a lot abuts a commercial or industrial district, the following transitional uses are permitted, provided they extend not more than 100 feet into the LR-5 district and conform to all requirements of this Ordinance which apply:

- (1) A two-unit dwelling;
 - (2) A multiplex dwelling structure;
 - (3) A business or professional office or clinic;
 - (4) Parking, developed as required in Section 6.20; and
 - (5) Other uses of a transitional nature as determined by the Planning Commission.
- (C) Farming, truck gardening, orchards and nurseries, provided that no retail or wholesale business sales office shall be maintained on the premises, and provided that no poultry or livestock, other than normal household pets, shall be kept within 100 feet of any residence other than the dwelling on the same lot. This subsection does not permit the raising of fowl or furbearing animals for sale, the keeping of swine, or a feed lot.
- (D) Except as otherwise authorized under subsection 3.384(B) or Section 7.50, the parking or storage of not more than five motor vehicles per dwelling unit. Non-operating vehicles shall not be kept so as to be visible from a street.
- (E) A two-unit dwelling, in compliance with the lot size requirement of subsection 3.387(B), and the other applicable dimensional requirements of this district, provided the location is:
- (1) A corner lot or a corner lot and adjoining lot under subsection 3.305(H);
 - (2) A flag lot;
 - (3) A lot having sole access from an accessway approved under the Land Division Chapter; or
 - (4) A lot having access from a public street created under the Land Division Chapter, when not more than four such structures having access from the same public street are located within 200 feet of each other.
- (F) Home occupations, as defined in subsection 1.26.
- (G) Temporary uses under the provisions of subsection 12.71.

3.385

CONDITIONAL USES. The following uses may be permitted when found by the approval authority to satisfy the applicable ordinance standards:

- (A) Community Service Uses under the provisions of Section 7.00;
- (B) Conditional Uses under the provisions of Section 7.50;

- (C) A health hardship annual temporary permit, under subsections 12.72 through 12.72.3;
- (D) A multiplex dwelling structure under the provisions of Section 7.50, subject to the following findings and conditions:
 - (1) The proposal satisfies the applicable elements of Comprehensive Plan Policies:
 - (a) No. 19, Community Design,
 - (b) No. 21, Housing Choice,
 - (c) No. 22, Energy Conservation,
 - (d) No. 24, Housing Location, and
 - (e) No. 40, Development Requirements;
 - (2) Development will not increase the volume of traffic beyond the capacity of the public street serving the lot, as determined by the County Engineer; and
 - (3) Development will be in accordance with the locational requirements of subsection 3.386;
- (E) Mobile homes on individual lots or a mobile home park, under the provisions of Section 6.40; and
- (F) Wholesale or retail sales of farm, horticultural or forest products raised or grown on the premises.

3.386

MULTIPLEX LOCATIONAL REQUIREMENTS. A multiplex dwelling structure approved under subsection 3.385(D) may be located only on one of the following:

- (A) A corner lot;
- (B) A flag lot;
- (C) A lot having sole access from an accessway approved under the Land Division Chapter; or
- (D) A lot having access from a public street created under the Land Division Chapter, when not more than 12 multiplex dwelling units having access from the same public street are located within 250 feet of each other.

3.386.1 Not more than six dwelling units shall be located in a multiplex dwelling structure approved under subsection 3.385(D).

DIMENSIONAL REQUIREMENTS.

- (A) Except as provided in subsections 3.303(B) and 3.305(A) and (B), the minimum lot size for a single-family detached dwelling shall be 5,000 square feet.
- (B) The minimum lot size for a two-unit dwelling shall be 9,000 square feet.
- (C) The minimum lot size for a multiplex dwelling structure shall be 4,500 square feet for each dwelling unit.
- (D) The minimum lot size for a mobile home under Section 3.385(E) shall be 5,000 square feet.
- (E) The minimum front lot line length shall be 20 feet.
- (F) The minimum lot width at the building line shall be 45 feet for an interior lot, and 50 feet for a corner lot.
- (G) The maximum coverage shall be 50 percent.

(H)

| | Minimum Yard Dimensions in Feet | | | | Maximum Structure Height | |
|--------------|---------------------------------|------|-------------|------|--------------------------|----|
| | Front | Side | Street Side | Rear | | |
| Interior Lot | 20 | 5 | N/A | 15 | | |
| Corner Lot | 20 | 5 | 10 | 15 | 2-1/2 | 35 |

- (1) In the event a front yard less than the minimum has been legally established on one or both of the adjacent lots, the minimum front yard for an interior lot may be reduced to the average of the established or required adjoining front yards.
- (2) The side yard adjacent to an accessway created under the Land Division Chapter may be reduced to five feet for a pre-existing structure under the provisions of subsection 3.305(B).
- (3) The rear yard of a corner lot may be reduced to five feet, provided that the front yard is not less than 20 feet, the street side yard is not less than 10 feet, and the interior side yard is not less than 15 feet.
- (4) The maximum height for a single-family, two-unit or multiplex dwelling on a flag lot or a lot having sole access from an accessway shall be 1-1/2 stories or 25 feet, unless the approval authority shall find that a maximum height of 2-1/2 stories or 35 feet, whichever is less, will be consistent with the established heights of structures on nearby lots or will have no significant adverse impacts on the privacy of adjacent property.

3.40 URBAN MEDIUM AND HIGH DENSITY RESIDENTIAL DISTRICTS -
GENERAL PROVISIONS.

3.401 AREA AFFECTED. This section shall apply to those lands designated MR-4, MR-3, HR-2, and HR-1 on the Multnomah County Zoning Map.

3.402 PURPOSES. The purposes of the medium and high density residential districts are to stabilize and improve existing residential neighborhoods; to encourage infill of available lands; to provide a choice of housing types and locations suitable for a greater range of households, lifestyles and economic levels of present and anticipated populations; to accommodate housing types which will relate well with existing neighborhood character and scale; to promote balanced and convenient residential areas having appropriate public improvements and services, and compatible non-residential activities which satisfy residents' needs, and contribute to area livability; to promote transit use; to promote land use patterns and building areas which take advantage of climatic conditions and means for energy efficiency; and to establish residential development standards which are consistent with the Comprehensive Plan.

3.403 LOT OF RECORD.

- (A) For the purposes of these districts, a Lot of Record is a parcel of land for which a deed or other instrument dividing land was recorded with the Department of Administrative Services, or was in recordable form prior to the effective date of Ordinance No. _____.
- (B) A Lot of Record which has less than the area minimum required, but at least 3,000 square feet, may be occupied by a single-family detached dwelling when in compliance with the other requirements of the applicable district.
- (C) A Lot of Record which has less than the front lot line minimum required may be occupied by any permitted or approved use when in compliance with the other requirements of the applicable district.
- (D) No sale or conveyance of any portion of a lot, other than for a public purpose, shall leave a structure on the remainder of the lot with less than minimum lot or yard requirements or result in a lot with less than the area or width requirements of the applicable district.

3.404 ACCESS.

- (A) Any lot in an Urban Medium or High Density Residential District shall have access from a public street or from a private street approved under the Land Division Chapter.

- (B) Access shall be improved according to the provisions of the Street Standards Chapter MCC 11.60, for public streets, or the Site Development Standards Chapter for private streets.

3.405 EXCEPTIONS TO DIMENSIONAL REQUIREMENTS.

- (A) When a lot has been included in a future street plan approved under the Land Division Chapter, development of that lot, including area and setback requirements, shall be in compliance with the street and lotting pattern of that future street plan or approved revision thereof, under subsection 1.246 of the Land Division Chapter.
- (B) In acting to approve a land division under the Land Division Chapter, the approval authority may grant an exception not to exceed ten percent of the lot area or 25 percent of any other dimensional requirement upon findings of the manner in which such exception will result in any of the following:
 - (1) More efficient use of the site;
 - (2) A greater degree of privacy, safety or freedom from noise, fumes or glare;
 - (3) An improved solar and climatic orientation;
 - (4) The preservation of natural features, where appropriate; or
 - (5) The provision of pedestrian circulation facilities, where needed.
- (C) The side yard adjacent to an accessway created under the Land Division Chapter may be reduced to five feet for a pre-existing structure, under the provisions of subsection 3.405(B).
- (D) Cornices, eaves, belt courses, sills, canopies or similar architectural features may extend or project into a required yard not more than 30 inches. Fireplace chimneys may project into a required front, side or rear yard not more than two feet, provided the width of such side yard is not reduced to less than three feet.
- (E) Open porches or balconies, not more than 30 inches in height and not covered by a roof or canopy, may extend or project into a required rear yard not more than four feet, and such porches may extend into a required front yard not more than 30 inches.

- (F) The minimum yard requirement shall be increased to provide for street widening in the event a yard abuts a street having a width less than that specified for the functional classification by the Street Standards Chapter MCC 11.60.
- (G) A fence, lattice work, screen, wall or similar feature with a maximum height of six feet may be located in any required yard; provided, however, that the maximum height shall be four feet if the feature is within 15 feet of a front property line or five feet of a street side property line.
- (H) Except as provided in the LF district, chimneys, antennae or similar structures may exceed height maximums established by Ordinance, if located at least 20 feet from any property line.
- (I) A two-unit or an apartment dwelling may be located with attached units on adjoining lots. In such event, the minimum lot size and yard requirements shall apply to the units on each lot, except that no yard shall be required adjacent to the common property line.
- (J) The land area dedicated without compensation for the widening or the extension of a public street may be included in calculating the number of dwelling units permitted on a lot in an Urban Medium or High Density Residential District.

3.406 OFF-STREET PARKING AND LOADING. Offstreet parking and loading shall be provided as required by Section 6.20.

3.407 SIGNS. The following shall be permitted on any lot in an Urban Medium or High Density Residential District:

- (A) A sign of a temporary nature, not artificially illuminated, advertising the sale or rental of an entire premises, having a maximum area on one side of eight square feet. Any such sign shall be erected at least ten feet behind the front property line;
- (B) A sign of a temporary nature, not artificially illuminated, advertising the sale of a tract of land or a land division or development, with a maximum area on one side of 80 square feet, when erected at least ten feet behind the front property line. The location of any such sign shall be approved by the Planning Director before erection in regard to safety, view obstruction, residential privacy, or other such conditions;
- (C) A sign stating the name of the owner or occupant of the property, having a maximum area on one side of two square feet;

- (D) In the case of an apartment, boarding, lodging or rooming house or mobile home park, not more than two signs for each use. Any such sign shall:
- (1) State only the names, addresses and telephone numbers of the development, owner or manager;
 - (2) Have a total maximum area on one side of 0.20 square feet for each foot of frontage of the lot on any one street;
 - (3) Have indirect illumination, if any;
 - (4) Be placed flat against the facade of a building or, if freestanding, be on a permanent structure not exceeding eight feet in height, and located not less than ten feet from any lot line; and
 - (5) Including a removable accessory sign incorporated with and not exceeding 25 percent of the area of a permitted sign, indicating the availability and description of apartments, rooms or spaces for rent or lease;
- (E) In the case of a business or professional office, clinic or limited commercial use authorized as provided in the district, not more than one sign for each use, provided that:
- (1) Each sign shall indicate only the name of the use or building, the name of each business firm or professional and their symbol, if any, and address(es), telephone number(s) and hours of operation;
 - (2) The total area on one side of all signs shall not exceed 0.20 square feet for each linear foot of the length of the principal facade of the building in which the use is located;
 - (3) Sign illumination, if any, shall be interior or indirect; and
 - (4) Signs shall be placed flat against the facade of the building or, if freestanding, on a permanent structure not exceeding eight feet in height located not less than ten feet from any property line.
- (F) In transitional areas a sign, illuminated or otherwise, but not of a flashing or moving type, having a maximum area on one side of 18 square feet. Any such sign shall pertain only to the use conducted within a building located on the lot. Illumination shall be indirect for the side of any sign facing a residential district; and

- 3.407.1 Any sign shall be maintained in good order and shall be promptly removed when the associated use or circumstance no longer applies to the premises.
- 3.408 LOT SIZES FOR CONDITIONAL USES. Except as otherwise established by this Ordinance, the lot size for a conditional use shall be determined at the time of approval of the use, based upon:
- (A) The site size needs of the proposed use;
 - (B) The nature of the proposed use in relation to its impacts on nearby properties; and
 - (C) Consideration of the purposes of the district.
- 3.409 SINGLE FAMILY DWELLING APPROVAL CRITERIA.
- (A) In approving a single family dwelling, the Planning Director shall find that:
 - (1) The area of contiguous undeveloped land in one ownership is insufficient to satisfy the lot area requirements of the district for more than one dwelling unit; and
 - (2) Assembly of the additional land needed for a greater number of dwelling units is impractical due to the unavailability of land, the existing pattern of ownership or the established uses of adjoining properties; or
 - (3) Topographic conditions, the absence of needed public services or other factors preclude the location of a greater number of dwelling units on the property.
 - (B) The decision of the Planning Director may be appealed to the Hearings Officer in the manner provided in subsections 12.38 and 12.39.
- 3.409.1 A single family dwelling existing or for which a permit was issued prior to the effective date of Ordinance No. _____, shall be deemed conforming and not subject to the other provisions of this subsection or of subsection 12.75.
- 3.410 MOBILE HOME ON INDIVIDUAL LOT APPROVAL CRITERIA. In approving a mobile home on an individual lot in an MR-4 or MR-3 district, the approval authority shall find that the proposal:
- (A) Will have access to a County Road by a private driveway or access-way approved under the Land Division Chapter;
 - (B) Will be located on a site free from development limitations such as slopes exceeding 20%, severe erosion or earth slide potential, or a high seasonal water table;

- (C) Will promote the conservation of energy through the orientation of mobile homes, accessory structures and open spaces with regard to solar exposure and climatic conditions; and
- (D) Will satisfy the mobile home on individual lot development standards listed in subsection 3.411.

3.411 MOBILE HOME ON INDIVIDUAL LOT DEVELOPMENT STANDARDS.

- (A) A mobile home located on an individual lot shall:
 - (1) Comply with the other applicable requirements of this Ordinance;
 - (2) Be located on a flag lot or on a lot served only by an accessway approved under the Land Division Chapter, provided, however, that not more than two mobile homes shall be served by one accessway;
 - (3) Be manufactured after June 15, 1976, and carry a state insigne indicating compliance with applicable Oregon State mobile home construction or equipment standards;
 - (4) Notwithstanding deterioration which may have occurred due to misuse, neglect, accident or other cause, the mobile home shall meet the State standards for mobile home construction evidenced by the required insigne;
 - (5) Be attached to a foundation for which a building permit has been obtained;
 - (6) Have a minimum floor area of 800 square feet;
 - (7) Have a roof with a minimum slope of 16 percent (2:12);
 - (8) Be equipped with a water closet, lavatory, shower or bath tub, and with a sink in a kitchen or other food preparation area; and
 - (9) Have plumbing connected to a public water supply system and to a sewage disposal system approved by the County Sanitarian.
- (B) An accessory structure may be attached only to the side or rear of the mobile home, shall consist of an awning, cabana or carport, but not a ramada, and shall satisfy the standards of OAR 814.23.070;
- (C) Any other accessory building, as permitted in the district, shall be located not less than ten feet from the mobile home or any accessory structure attached thereto; and
- (D) The mobile home shall be located on a lot having improvements in accordance with a site development plan approved by the Planning Director. The plan shall provide for:

- (1) Safe pedestrian and vehicular access;
- (2) Adequate privacy for residents of the mobile home and of adjoining housing; and
- (3) Maximum preservation of existing slopes, vegetation and natural drainage.

3.412 MOBILE HOME PARK APPROVAL CRITERIA. In approving a mobile home park in an MR-4 or MR-3 district, the approval authority shall find that the proposal:

- (A) Will have direct pedestrian and two-way vehicular access on a County Road;
- (B) Will be located on a site free from development limitations such as slopes exceeding 20%, severe erosion or earth slide potential, or a high seasonal water table;
- (C) Will provide for the privacy of the occupants of the mobile homes, of adjoining dwellings and of outdoor living areas through such means as the placement of mobile homes and accessory structures, the arrangement of landscaping, parking and circulation and the preservation of natural vegetation and other features;
- (D) Will provide for the conservation of energy through orientation of mobile homes, accessory structures and open spaces with regard to solar exposure and climatic conditions;
- (E) Will provide outdoor or indoor recreation spaces of a type and location suitable to the needs of the residents of the park; and
- (F) Will satisfy the mobile home park development standards listed in subsection 3.413.

3.413 MOBILE HOME PARK DEVELOPMENT STANDARDS. A mobile home park approved under this Ordinance shall comply with the State standards in effect at the time of construction, the other applicable requirements of this Ordinance, and the following:

- (A) Application for a permit shall include evidence that the park will be eligible for a certificate of sanitation required by State law;
- (B) The space provided for each mobile home shall be supplied with piped potable water and electrical and sewage disposal connections;
- (C) Not more than 40 percent of the area of a mobile home space may be occupied by a mobile home and any attached or detached structure used in conjunction with the mobile home;
- (D) Only those accessory structures authorized by Oregon Administrative Rule may be attached to a mobile home;

- (E) The only detached structures located on a mobile home space shall be a carport or a fully-enclosed storage building;
- (F) A mobile home and any attached accessory structure shall not be located less than:
 - (1) Fifteen feet from any other mobile home or accessory structure attached thereto;
 - (2) Ten feet from any detached accessory building or other building located within the mobile home park; or
 - (3) Five feet from a mobile home park property line;
- (G) A permanent building in a mobile home park shall not be located less than ten feet from another permanent building or from a mobile home park property line;
- (H) A sight-obscuring fence of not less than six nor more than seven feet in height, with openings only for required entrances or exits to a street or public place, shall be provided between mobile homes and a mobile home park property line;
- (I) Each vehicular way in a mobile home park of 50 spaces or more shall be named and marked with signs of a design similar to those for public streets. A map of the named vehicular ways and of the mobile home space numbers shall be provided by the owner to the fire district;
- (J) Any mobile home in a mobile home park shall:
 - (1) Be located in a mobile home space which complies with the standards of this subsection;
 - (2) Have a State insigne indicating compliance with Oregon state mobile home construction and equipment standards in effect at the time of manufacture, reconstruction or equipment installation;
 - (3) Notwithstanding deterioration which may have occurred due to misuse, neglect, accident or other cause, the mobile home shall meet the State standards for mobile home construction evidenced by the required insigne;
 - (4) Have a minimum floor area of not less than 225 square feet;
 - (5) Be equipped with a water closet, lavatory, shower or bath tub, and with a sink in a kitchen or other food preparation space;
 - (6) Be provided with a continuous skirting; and

(7) If a single-wide unit, be tied down with devices which meet State tie-down standards; and

(K) There shall be no outdoor storage of furniture, electrical appliances, tools, equipment, building materials or supplies within a mobile home park.

3.414 BUSINESS OR PROFESSIONAL OFFICE OR CLINIC APPROVAL CRITERIA. In approving a business or professional office as a conditional use the approval authority shall find that the proposal:

(A) Will satisfy the applicable elements of Comprehensive Plan policies:

- (1) No. 5, Economic Development,
- (2) No. 19, Community Design,
- (3) No. 20, Arrangement of Land Uses,
- (4) No. 22, Energy Conservation, and
- (5) No. 29, Office Location (Isolated);

(B) Will satisfy the development standards listed in subsection 3.415;

(C) Will have minimal adverse impact, taking into account location, size, design and operating characteristics on the (1) livability, (2) value, and (3) development of abutting properties and the surrounding area; and

(D) Will satisfy the applicable dimensional and other requirements of the district.

3.415 BUSINESS OR PROFESSIONAL OFFICE OR CLINIC DEVELOPMENT STANDARDS. A business or professional office or clinic located as a transitional use or as a conditional use under the provisions of this Ordinance shall comply with the other applicable requirements of this Ordinance, and the following:

(A) The use shall be located in a structure occupied by other permitted or authorized uses, or in a detached structure which is compatible with the character and scale of structures in the vicinity occupied by permitted uses; and

(B) Vehicular access, circulation, parking and loading shall be provided without conflict with similar facilities required for other uses on the same property.

3.416 LIMITED COMMERCIAL USE APPROVAL CRITERIA. In approving a limited commercial use as a conditional use in an HR-2 or HR-1 district the approval authority shall find that the proposal:

- (A) Will satisfy the applicable elements of Comprehensive Plan policies:
 - (1) No. 5, Economic Development,
 - (2) No. 19, Community Design,
 - (3) No. 20, Arrangement of Land Uses,
 - (4) No. 22, Energy Conservation, and
 - (5) No. 27, Commercial Location (Local Isolated);
- (B) Will satisfy the development standards listed in subsection 3.417;
- (C) Will have minimal adverse impact, taking into account location, size, design and operating characteristics on the (1) livability, (2) value, and (3) appropriate development of abutting properties and the surrounding area, compared to the impact of development of the lot with a primary use; and
- (D) Will satisfy the applicable dimensional and other requirements of the district.

3.417 LIMITED COMMERCIAL USE DEVELOPMENT STANDARDS. A limited commercial use approved as a conditional use in an HR-2 or HR-1 district shall comply with the other applicable requirements of this Ordinance, and the following:

- (A) The use shall be limited to:
 - (1) A retail grocery, meat, fruit, vegetable, bakery or delicatessen store;
 - (2) A pharmacy;
 - (3) A coffee or sandwich shop, but not drive-in or fast-food service;
 - (4) A barber or beauty shop;
 - (5) A florist shop;
 - (6) A newspaper, magazine, book or stationery store;

- (7) A self-service laundry;
 - (8) A dry-cleaning or laundry pick-up agency; or
 - (9) An instruction studio for arts, crafts, music or dance;
- (B) The use shall have a retail floor area of 1,500 square feet or less;
- (C) The use shall have safe means of pedestrian access and vehicular access to an arterial or collector street as designated by the Street Standards Chapter; and
- (D) The ground floor area, parking, loading and vehicle maneuvering space for a limited commercial use may not occupy the land area required to satisfy the dimensional requirements for any residential use on the same lot.

3.418 PROVISIONS FOR PRE-EXISTING USES.

- (A) A use listed as a conditional use in an Urban Medium or High Density Residential District which was legally established prior to the effective date of Ordinance No. _____, shall be deemed conforming and not subject to the provisions of subsection 12.75; provided, however, that:
- (1) Any change from one conditional use permitted in the district to another such conditional use shall be subject to approval under the conditional use provisions of the district; and
- (B) A use conforming to the provisions of Ordinance No. 100 prior to the effective date of Ordinance No. _____, but not thereby listed in the applicable district as a primary use, a use under prescribed conditions or a conditional use, is subject to the provisions of subsections 7.560 through 7.567.1.

3.419 DESIGN REVIEW. Uses permitted in the Urban Medium and High Density Residential Districts, except single-family or two-unit dwellings, mobile homes on individual lots and accessory buildings thereto, shall be subject to design review approval under Section 7.60.

3.419.5 APPEAL OF ADMINISTRATIVE DECISION. A decision of the Planning Director on an application for a Use Under Prescribed Conditions may be appealed by the applicant to the Hearings Officer in the manner provided in subsections 12.38 and 12.39.

- 3.42 URBAN MEDIUM DENSITY RESIDENTIAL DISTRICT MR-4
- 3.421 AREA AFFECTED. This subsection shall apply, in addition to the provisions of subsections 3.40 through 3.419, to those lands designated MR-4 on the Multnomah County Zoning Map.
- 3.422 USES. Except as otherwise provided in Ordinance No. 100, 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 uses listed in subsections 3.423 through 3.425.
- 3.423 PRIMARY USES.
- (A) A two-unit dwelling;
 - (B) A multiplex dwelling structure;
 - (C) A boarding, lodging or rooming house; and
 - (D) Public and private conservation areas and structures for the protection of water, soil, open-space, forest and wildlife resources.
- 3.423.1 More than one dwelling structure or dwelling type may be located on a lot, provided that all of the dimensional and other requirements of this district are met for each such dwelling structure and type, as applicable.
- 3.424 USES UNDER PRESCRIBED CONDITIONS. The uses permitted subject to prescribed conditions for each use are:
- (A) Accessory buildings such as garages, carports, studios, pergolas, private workshops, playhouses, private greenhouses or other similar structures related to the dwelling structure in design, whether attached or detached, provided:
 - (1) The height or total ground floor area of accessory buildings shall not exceed the height or total ground floor area of the main building(s) on the same lot;
 - (2) If attached to any main building, an accessory building shall comply with the yard requirements of this district.
 - (3) If detached and located behind the rear line of the rear-most 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 abutting on a street when in compliance with the Building Code; and

- (4) A detached accessory building shall occupy no more than 25 percent of the required yard area in which it is located.
- (B) Where the side of a lot abuts a commercial or industrial district other than LC, the following transitional uses are permitted, provided they extend not more than 100 feet into the MR-4 district and otherwise conform to all requirements of this Ordinance which apply:
 - (1) A business or professional office or clinic, developed as provided under subsection 3.415.
 - (2) Parking, developed as required in Section 6.20; and
 - (3) Other uses of a transitional nature as determined by the Planning Commission.
- (C) Farming, truck gardening, orchards and nurseries, provided that no retail or wholesale business sales office shall be maintained on the premises, and no poultry or livestock, other than normal household pets, shall be kept on the lot.
- (D) Except as otherwise authorized under Section 7.50, the parking or storage of not more than five motor vehicles per dwelling unit. Non-operating vehicles shall not be kept so as to be visible from a street.
- (E) A single family detached dwelling, subject to the provisions of subsection 3.409.
- (F) Home occupations, as defined in subsection 1.26.
- (G) Temporary uses under the provisions of subsection 12.71.

3.425

CONDITIONAL USES. The following uses may be permitted when found by the approval authority to satisfy the applicable ordinance standards:

- (A) Community Service Uses under the provisions of Section 7.00;
- (B) Conditional Uses under the provisions of Section 7.50;
- (C) A mobile home on an individual lot subject to the provisions of the approval criteria of subsection 3.410, the development standards of subsection 3.411, and the requirements of subsection 12.25.3(a) and (c);
- (D) A mobile home park subject to the provisions of the approval criteria of subsection 3.412, the development standards of subsection 3.413, and the requirements of subsection 12.25.3(a) and (c);

- (E) A business or professional office or clinic under the procedural provisions of Section 7.50, the approval criteria of subsection 3.414, and the development standards of subsection 3.415;
- (F) A health hardship annual temporary permit, under subsections 12.72 through 12.72.3; and
- (G) Wholesale or retail sales of farm, horticultural or forest products, raised or grown on the premises.

3.426 DIMENSIONAL REQUIREMENTS.

- (A) Except as provided in subsections 3.403(B) and 3.405(A) and (B), the minimum lot size for a single family detached dwelling shall be 4,500 square feet.
- (B) The minimum lot size for a two-unit dwelling shall be 8,000 square feet.
- (C) The minimum lot size for a multiplex dwelling structure shall be 4,000 square feet for each dwelling unit.
- (D) The minimum lot size for a boarding, lodging or rooming house shall be 9,000 square feet.
- (E) The minimum lot size for a mobile home on an individual lot shall be 4,500 square feet.
- (F) The minimum lot size for a mobile home park shall be 4,000 square feet for each mobile home space.
- (G) The minimum front lot line length shall be 20 feet.
- (H) The minimum lot width at the building line shall be 45 feet for an interior lot and 50 feet for a corner lot.
- (I) The maximum lot coverage shall be 40 percent.
- (J)

| | Minimum Yard Dimensions in Feet | | | | Maximum Structure Height | |
|--------------|---------------------------------|------|-------------|------|--------------------------|------|
| | Front | Side | Street Side | Rear | Stories | Feet |
| Interior Lot | 20 | 5 | N/A | 15 | | |
| Corner Lot | 20 | 5 | 10 | 15 | 2-1/2 | 35 |

- (1) The minimum yard and other setbacks for a mobile home park shall be as required under subsection 3.413.

- (2) In the event a front yard less than the minimum has been legally established on one or both of the adjacent lots, the minimum front yard for a single family detached or two-unit dwelling on an interior lot may be reduced to the average of the established or required adjoining front yards.
- (3) The rear yard of a corner lot may be reduced to five feet, provided that the front yard is not less than 20 feet, the street side yard is not less than 10 feet, and the interior side yard is not less than 15 feet.
- (K) In the case of an apartment structure in this district, a yard equal to the structure height shall be provided between the structure in this district and any adjacent LR district lot line. In acting on a final design review plan under subsections 7.617 through 7.617.3, the Planning Director may modify or waive this requirement upon a finding that the factors listed in subsection 7.620.c.1.(a) through (d) are satisfied.

3.46 URBAN MEDIUM DENSITY RESIDENTIAL DISTRICT MR-3

3.461 AREA AFFECTED. This subsection shall apply, in addition to the provisions of subsections 3.40 through 3.419, to those lands designated MR-3 on the Multnomah County Zoning Map.

3.462 USES. Except as otherwise provided in Ordinance No. 100, 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 uses listed in subsections 3.463 through 3.465.

3.463 PRIMARY USES.

- (A) A two-unit dwelling;
- (B) A multiplex dwelling structure;
- (C) A garden apartment;
- (D) A boarding, lodging or rooming house; and
- (E) Public and private conservation areas and structures for the protection of water, soil, open-space, forest and wildlife resources.

3.463.1 More than one dwelling structure or dwelling type may be located on a lot, provided that all of the dimensional and other requirements of this district are met for each such dwelling structure and type, as applicable.

3.464 USES UNDER PRESCRIBED CONDITIONS. The uses permitted subject to prescribed conditions for each use are:

- (A) Accessory buildings such as garages, carports, studios, pergolas, private workshops, playhouses, private greenhouses or other similar structures related to the dwelling structure in design, whether attached or detached, provided:
 - (1) The height or total ground floor area of accessory buildings shall not exceed the height or total ground floor area of the main building(s) on the same lot.
 - (2) If attached to any main building, an accessory building shall comply with the yard requirements of this district.
 - (3) If detached and located behind the rear line of the rear-most 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 abutting on a street when in compliance with the Building Code.

- (4) A detached accessory building shall occupy no more than 25 percent of the required yard area in which it is located.
- (B) Where the side of a lot abuts a commercial or industrial district other than LC, the following transitional uses are permitted provided they extend not more than 100 feet into the MR-3 district and otherwise conform to all requirements of this Ordinance which apply:
 - (1) A business or professional office or clinic, developed as provided under subsection 3.415;
 - (2) Parking, developed as required in Section 6.20; and
 - (3) Other uses of a transitional nature as determined by the Planning Commission.
- (C) Farming, truck gardening, orchards and nurseries, provided that no retail or wholesale business sales office shall be maintained on the premises, and no poultry or livestock other than normal household pets shall be kept on the lot.
- (D) Except as otherwise authorized under Section 7.50, the parking or storage of not more than five motor vehicles per dwelling unit. Non-operating vehicles shall not be kept so as to be visible from a street.
- (E) A single family detached dwelling, subject to the provisions of subsection 3.409.
- (F) Home occupations, as defined in subsection 1.26.
- (G) Temporary uses under the provisions of subsection 12.71.

3.465

CONDITIONAL USES. The following uses may be permitted when found by the approval authority to satisfy the applicable ordinance standards:

- (A) Community Service Uses under the provisions of Section 7.00;
- (B) Conditional Uses under the provisions of Section 7.50;
- (C) A mobile home on an individual lot subject to the provisions of the approval criteria of subsection 3.410, the development standards of subsection 3.411, and the requirements of subsection 3.413 and the requirements of subsection 12.25.3(a) and (c);
- (D) A mobile home park subject to the provisions of the approval criteria of subsection 3.412, the development standards of subsection 3.413, and the requirements of subsection 12.25.3(a) and (c);

- (E) A business or professional office or clinic under the procedural provisions of Section 7.50, the approval criteria of subsection 3.414, and the development standards of subsection 3.415;
- (F) A health hardship annual temporary permit under subsections 12.72 through 12.72.3; and
- (G) Wholesale or retail sales of farm, horticultural or forest products raised or grown on the premises.

3.466 DIMENSIONAL REQUIREMENTS.

- (A) Except as provided in subsections 3.403(B) and 3.405(A) and (B), the minimum lot size for a single family detached dwelling shall be 4,000 square feet.
- (B) The minimum lot size for a two-unit dwelling shall be 7,000 square feet.
- (C) The minimum lot size for a multiplex dwelling structure shall be 3,200 square feet for each dwelling unit.
- (D) The minimum lot size for a garden apartment shall be 2,700 square feet for each dwelling unit.
- (E) The minimum lot size for a boarding, lodging or rooming house shall be 7,000 square feet.
- (F) The minimum lot size for a mobile home on an individual lot shall be 4,000 square feet.
- (G) The minimum lot size for a mobile home park shall be 3,200 square feet for each mobile home space.
- (H) The minimum front lot line length shall be 20 feet.
- (I) The minimum lot width at the building line shall be 45 feet for an interior lot and 50 feet for a corner lot.
- (J) The maximum coverage shall be 45 percent.

(K)

| | Minimum Yard Dimensions in Feet | | | | Maximum Structure Height | |
|--------------|---------------------------------|------|-------------|------|--------------------------|------|
| | Front | Side | Street Side | Rear | Stories | Feet |
| Interior Lot | 20 | 5 | N/A | 15 | | |
| Corner Lot | 20 | 5 | 10 | 15 | 2-1/2 | 35 |

- (1) The minimum yard and other setbacks for a mobile home park shall be as required under subsection 3.413.
 - (2) In the event a front yard less than the minimum has been legally established on one or both of the adjacent lots, the minimum front yard for an interior lot may be reduced for a single family detached or two-unit dwelling to the average of the established or required adjoining front yards.
 - (3) The rear yard of a corner lot may be reduced to five feet, provided that the front yard is not less than 20 feet, the street side yard is not less than 10 feet, and the interior side yard is not less than 15 feet.
- (L) In the case of an apartment structure in this district, a yard equal to the structure height shall be provided between the structure in this district and any adjacent LR district lot line. In acting on a final design review plan under subsections 7.617 through 7.617.3, the Planning Director may modify or waive this requirement upon a finding that the factors listed in subsections 7.620.c.1.(a) through (d) are satisfied.

- 3.52 URBAN HIGH DENSITY RESIDENTIAL DISTRICT HR-2
- 3.521 AREA AFFECTED. This subsection shall apply, in addition to the provisions of subsections 3.40 through 3.419, to those lands designated HR-2 on the Multnomah County Zoning Map.
- 3.522 USES. Except as otherwise provided in Ordinance No. 100, 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 uses listed in subsections 3.523 through 3.525.
- 3.523 PRIMARY USES.
- (A) A two-unit dwelling;
 - (B) A multiplex dwelling structure;
 - (C) A garden apartment;
 - (D) A boarding, lodging or rooming house; and
 - (E) Public and private conservation areas and structures for the protection of water, soil, open-space, forest and wildlife resources.
- 3.523.1 More than one dwelling structure or dwelling type may be located on a lot, provided that all of the dimensional and other requirements of this district are met for each dwelling structure and type, as applicable.
- 3.524 USES UNDER PRESCRIBED CONDITIONS. The uses permitted subject to prescribed conditions for each use are:
- (A) Accessory buildings such as garages, carports, studios, pergolas, private workshops, playhouses, private greenhouses or other similar structures related to the dwelling structure in design, whether attached or detached, provided:
 - (1) The height or total ground floor area of accessory buildings shall not exceed the height or total ground floor area of the main building(s) on the same lot.
 - (2) If attached to any main building, an accessory building shall comply with the yard requirements of this district.
 - (3) If detached and located behind the rear line of the rear-most 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 abutting on a street when in compliance with the Building Code.

- (4) A detached accessory building shall occupy no more than 25 percent of the required yard area in which it is located.
- (B) Where the side of a lot abuts a commercial or industrial district other than LC, the following transitional uses are permitted, provided they extend not more than 100 feet into the HR-2 district and otherwise conform to all requirements of this Ordinance which apply:
 - (1) A business or professional office or clinic, developed as provided under subsection 3.415;
 - (2) Parking, developed as required in Section 6.20; and
 - (3) Other uses of a transitional nature as determined by the Planning Commission.
- (C) Farming, truck gardening, orchards and nurseries, provided that no retail or wholesale business sales office shall be maintained on the premises, and no poultry or livestock, other than normal household pets, shall be kept on the lot.
- (D) Except as otherwise authorized under Section 7.50, the parking or storage of not more than five motor vehicles per dwelling unit. Non-operating vehicles shall not be kept so as to be visible from a street.
- (E) A single family detached dwelling, subject to the provisions of subsection 3.409.
- (F) A hotel or motel, subject to the approval criteria of subsection 4.008.
- (G) Home occupations, as defined in subsection 1.26.
- (H) Temporary uses under the provisions of subsection 12.71.

3.525

CONDITIONAL USES. The following uses may be permitted when found by the approval authority to satisfy the applicable ordinance standards:

- (A) Community Service Uses under the provisions of Section 7.00;

- (B) Conditional Uses under the provisions of Section 7.50;
- (C) A business or professional office or clinic under the procedural provisions of Section 7.50, the approval criteria of subsection 3.414, and the development standards of subsection 3.415;
- (D) A limited commercial use under the procedural provisions of Section 7.50, the approval criteria of subsection 3.416, and the development standards of subsection 3.417; and
- (E) A health hardship annual temporary permit, under subsections 12.72 through 12.72.3.
- (F) Wholesale or retail sales of farm, horticultural or forest products raised or grown on the premises.

3.526. DIMENSIONAL REQUIREMENTS.

- (A) Except as provided in subsections 3.403(B) and 3.405(A) and (B), the minimum lot size for a single family detached dwelling shall be 4,000 square feet.
- (B) The minimum lot size for a two-unit dwelling shall be 7,000 square feet.
- (C) The minimum lot size for a multiplex dwelling structure shall be 2,700 square feet for each dwelling unit.
- (D) The minimum lot size for a boarding, lodging or rooming house shall be 7,000 square feet.
- (E) The minimum lot size for a garden apartment of 2-1/2 stories or less in height shall be 2,400 square feet for each dwelling unit.
- (F) The minimum lot size for a garden apartment of three or 3-1/2 stories in height shall be 2,100 square feet for each dwelling unit.
- (G) The minimum front lot line length shall be 20 feet.
- (H) The minimum lot width at the building line shall be 45 feet for an interior lot and 50 feet for a corner lot.
- (I) The maximum coverage shall be 50 percent.
- (J) For any permitted or approved use except a garden apartment of three or 3-1/2 stories:

| Minimum Yard Dimensions in Feet | | | | | Maximum Structure Height | |
|---------------------------------|-------|------|-------------|------|--------------------------|------|
| | Front | Side | Street Side | Rear | Stories | Feet |
| Interior Lot | 20 | 5 | N/A | 15 | | |
| Corner Lot | 20 | 5 | 10 | 15 | 2-1/2 | 35 |

(1) In the event a front yard less than the minimum has been legally established on one or both of the adjacent lots, the minimum front yard for a single family detached or two-unit dwelling on an interior lot may be reduced to the average of the established or required adjoining front yards.

(2) The rear yard of a corner lot may be reduced to five feet, provided that the front yard is not less than 20 feet, the street side yard is not less than 10 feet, and the interior side yard is not less than 15 feet.

(K) For a garden apartment of three or 3-1/2 stories:

| Minimum Yard Dimensions in Feet | | | | | Maximum Structure Height | |
|---------------------------------|-------|------|-------------|------|--------------------------|------|
| | Front | Side | Street Side | Rear | Stories | Feet |
| Interior Lot | 20 | 7 | N/A | 15 | | |
| Corner Lot | 20 | 7 | 10 | 15 | 3-1/2 | 45 |

(1) A garden apartment structure shall not exceed 2-1/2 stories or 35 feet, if located within 50 feet of a residential district other than HR-2 or HR-1.

(L) In the case of an apartment structure in this district, a yard equal to the structure height shall be provided between the structure in this district and any adjacent LR district lot line. In acting on a final design review plan under subsections 7.617 through 7.617.3, the Planning Director may modify or waive this requirement upon a finding that the factors listed in subsection 7.620.c.1.(a) through (d) are satisfied.

- 3.56 URBAN HIGH DENSITY RESIDENTIAL DISTRICT HR-1
- 3.561 AREA AFFECTED. This subsection shall apply, in addition to the provisions of subsections 3.40 through 3.419, to those lands designated HR-1 on the Multnomah County Zoning Map.
- 3.562 USES. Except as otherwise provided in Ordinance No. 100, 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 uses listed in subsections 3.563 through 3.565.
- 3.563 PRIMARY USES.
- (A) A two-unit dwelling;
 - (B) A multiplex dwelling structure;
 - (C) A garden apartment;
 - (D) An apartment structure;
 - (E) A boarding, lodging or rooming house; and
 - (F) Public and private conservation areas and structures for the protection of water, soil, open-space, forest and wildlife resources.
- 3.563.1 More than one dwelling structure or dwelling type may be located on a lot, provided that all of the dimensional and other requirements of this district are met for each such dwelling structure and type, as applicable.
- 3.564 USES UNDER PRESCRIBED CONDITIONS. The uses permitted subject to prescribed conditions for each use are:
- (A) Accessory buildings such as garages, carports, studios, pergolas, private workshops, playhouses, private greenhouses or other similar structures related to the dwelling structure in design, whether attached or detached, provided:
 - (1) The height or total ground floor area of accessory buildings shall not exceed the height or total ground floor area of the main building(s) on the same lot.
 - (2) If attached to any main building, an accessory building shall comply with the yard requirements of this district.

- (3) If detached and located behind the rear line of the rear-most 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 abutting on a street when in compliance with the Building Code.
 - (4) A detached accessory building shall occupy no more than 25 percent of the required yard area in which it is located.
- (B) Where the side of a lot abuts a commercial or industrial district other than LC, the following transitional uses are permitted, provided they extend not more than 100 feet into the HR-1 district and otherwise conform to all requirements of this Ordinance which apply:
 - (1) A business or professional office or clinic, developed as provided under subsection 3.415;
 - (2) Parking, developed as required in Section 6.20; and
 - (3) Other uses of a transitional nature as determined by the Planning Commission.
 - (C) Farming, truck gardening, orchards and nurseries, provided that no retail or wholesale business sales office shall be maintained on the premises, and no poultry or livestock, other than normal household pets, shall be kept on the lot.
 - (D) Except as otherwise authorized under Section 7.50, the parking or storage of not more than five motor vehicles per dwelling unit. Non-operating vehicles shall not be kept so as to be visible from a street.
 - (E) A single family detached dwelling, subject to the provisions of subsection 3.409.
 - (F) A hotel or motel, subject to the approval criteria of subsection 4.008.
 - (G) Home occupations, as defined in subsection 1.26.
 - (H) Temporary uses under the provisions of subsection 12.71.

3.565

CONDITIONAL USES. The following uses may be permitted when found by the approval authority to satisfy the applicable ordinance standards:

- (A) Community Service Uses under the provisions of Section 7.00;
- (B) Conditional Uses under the provisions of Section 7.50;
- (C) A business or professional office or clinic under the procedural provisions of Section 7.50, the approval criteria of subsection 3.414, and the development standards of subsection 3.415;
- (D) A limited commercial use under the procedural provisions of Section 7.50, the approval criteria of subsection 3.416, and the development standards of subsection 3.417; and
- (E) A health hardship annual temporary permit, under subsections 12.72 through 12.72.3.
- (F) Wholesale or retail sales of farm, horticultural or forest products raised or grown on the premises.

3.566 DIMENSIONAL REQUIREMENTS.

- (A) Except as provided in subsections 3.403(B) and 3.405(A) and (B), the minimum lot size for a single family detached dwelling shall be 4,000 square feet.
- (B) The minimum lot size for a two-unit dwelling shall be 7,000 square feet.
- (C) The minimum lot size for a multiplex dwelling structure shall be 2,700 square feet for each dwelling unit.
- (D) The minimum lot size for a boarding, lodging or rooming house shall be 7,000 square feet.
- (E) The minimum lot size for a garden apartment of 2-1/2 stories or less in height shall be 2,400 square feet for each dwelling unit.
- (F) The minimum lot size for a garden apartment of three or 3-1/2 stories in height shall be 1,800 square feet for each dwelling unit.
- (G) The minimum lot size for an apartment structure of four or more stories in height shall be 1,000 square feet for each dwelling unit.
- (1) The minimum lot size for an apartment structure may be 750 square feet for each dwelling unit when approved under the provisions of subsection 3.567.

- (H) The minimum front lot line length shall be 20 feet.
- (I) The minimum lot width at the building line shall be 45 feet for an interior lot and 50 feet for a corner lot.
- (J) The maximum coverage shall be 55 percent, except as authorized under the provisions of subsection 3.567 for apartment structures of four stories or more.
- (K) For any permitted or approved use except a garden apartment of three or 3-1/2 stories, and an apartment structure of four or more stories:

| Minimum Yard Dimensions in Feet | | | | | Maximum Structure Height | |
|---------------------------------|-------|------|-------------|------|--------------------------|----|
| | Front | Side | Street Side | Rear | | |
| Interior Lot | 20 | 5 | N/A | 15 | | |
| Corner Lot | 20 | 5 | 10 | 15 | 2-1/2 | 35 |

- (1) In the event a front yard less than the minimum has been legally established on one or both of the adjacent lots, the minimum front yard for a single family detached dwelling or a two-unit dwelling on an interior lot may be reduced to the average of the established or required adjoining front yards.
- (2) The rear yard of a corner lot may be reduced to five feet, provided that the front yard is not less than 20 feet, the street side yard is not less than 10 feet, and the interior side yard is not less than 15 feet.
- (L) For a garden apartment of three or 3-1/2 stories:

| Minimum Yard Dimensions in Feet | | | | | Maximum Structure Height | |
|---------------------------------|-------|------|-------------|------|--------------------------|----|
| | Front | Side | Street Side | Rear | | |
| Interior Lot | 20 | 7 | N/A | 15 | | |
| Corner Lot | 20 | 7 | 10 | 15 | 3-1/2 | 45 |

- (1) A garden apartment shall not exceed 2-1/2 stories or 35 feet, if located within 50 feet of the boundary of a residential district other than HR-2 or HR-1.