

BEFORE THE BOARD OF COUNTY COMMISSIONERS

FOR MULTNOMAH COUNTY, OREGON

ORDINANCE NO. 786

An Ordinance amending the R-20 and R-30 residential zoning districts by adding a definition of lot.

Multnomah County Ordains as follows:

Section I. Findings.

(A) The County has historically interpreted a lot in the R-20 and R-30 residential zoning districts to be each of the individual lots over 3,000 square feet in area, irrespective of ownership, within subdivisions platted prior to the adoption of zoning laws by the County in 1956.

(B) At the same time, the County has required all new land divisions within the R-20 and R-30 zoning districts to have minimum lot sizes of 20,000 and 30,000 square feet, respectively.

(C) The Board of County Commissioners considered such interpretation of a lot as inconsistent with the intent of the original zoning designation of the residential areas regulated by the R-20 and R-30 districts.

(D) On October 28, 1993, the Multnomah County Board of County Commissioners instructed the Planning Commission to consider a proposed amendment to the Zoning Code clarifying the intent of the minimum lot size provisions of the R-20 and R-30 zoning districts.

1 (E) The Planning Commission held hearings on December 6, 1993 and January 3, 1994 to  
2 receive public comment on the proposed amendments.

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4 (F) The Planning Commission found the proposed amendments equalize the manner in which  
5 lots created prior to and after enactment of MCC 11.15 are allowed to develop.

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7 Section II. Amendment of R-30 District

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9 MCC 11.15 is amended by adding:

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11 **11.15.2848 Definition of Lot**

12  
13 (A) For the purposes of this district, a lot is:

14  
15 (1) A parcel of land:

16  
17 (a) For which a deed or other instrument creating the parcel was recorded with the Recording  
18 Section of the public office responsible for public records, or was in recordable form, prior  
19 to March 10, 1994;

20  
21 (b) Which satisfied all applicable laws when the parcel was created;

22  
23 (c) Which satisfies the minimum lot size requirements of MCC .2844 ; and

24  
25 (d) Which was not, on March 10, 1994 or later, contiguous to a substandard parcel or substan-  
26 dard parcels under the same ownership, or

1 (2) A parcel of land:

2  
3 (a) For which a deed or other instrument creating the parcel was recorded with the Recording  
4 Section of the public office responsible for public records, or was in recordable form, prior  
5 to March 10, 1994;

6  
7 (b) Which satisfied all applicable laws when the parcel was created;

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9 (c) Which does not meet the minimum lot size requirements of MCC .2844;

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11 (d) Which satisfies the standards of MCC .2846(B) ; and

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13 (e) Which was not, on March 10, 1994 or later, contiguous to a substandard parcel or substan-  
14 dard parcels under the same ownership, or

15  
16 (3) A group of contiguous parcels of land:

17  
18 (a) For which a deed or deeds or other instruments creating the parcels were recorded with the  
19 Recording Section of the public office responsible for public records, or were in record-  
20 able form, prior to March 10, 1994;

21  
22 (b) Which satisfied all applicable laws when the parcels were created;

23  
24 (c) Any one of which individually does not meet the minimum lot size requirements of MCC  
25 .2844, but, when considered in combination, complies as nearly as possible, or exceeds,  
26 the minimum lot size requirements of MCC .2844, without creating any new lot line; and

(d) Which were, on March 10, 1994 or later, held under the same ownership.

(B) For the purposes of this subsection, *Same Ownership* refers to parcels in which greater than possessory interests are held by the same person or persons, spouse, minor age child, single partnership or business entity, separately or in tenancy in common.

### Section III. Amendment of R-20 District

#### **11.15.2858 Definition of Lot**

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

(1) A parcel of land:

(a) For which a deed or other instrument creating the parcel was recorded with the Recording Section of the public office responsible for public records, or was in recordable form, prior to March 10, 1994;

(b) Which satisfied all applicable laws when the parcel was created;

(c) Which satisfies the minimum lot size requirements of MCC .2854; and

(d) Which was not, on March 10, 1994 or later, contiguous to a substandard parcel or substandard parcels under the same ownership, or

1 (2) A parcel of land:

2  
3 (a) For which a deed or other instrument creating the parcel was recorded with the Recording  
4 Section of the public office responsible for public records, or was in recordable form, prior  
5 to March 10, 1994;

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7 (b) Which satisfied all applicable laws when the parcel was created;

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9 (c) Which does not meet the minimum lot size requirements of MCC .2854;

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11 (d) Which satisfies the standards of MCC .2856(B); and

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13 (e) Which was not, on March 10, 1994 or later, contiguous to a substandard parcel or substan-  
14 dard parcels under the same ownership, or

15  
16 (3) A group of contiguous parcels of land:

17  
18 (a) For which a deed or deeds or other instruments creating the parcels were recorded with the  
19 Recording Section of the public office responsible for public records, or were in record-  
20 able form, prior to March 10, 1994;

21  
22 (b) Which satisfied all applicable laws when the parcels were created;

23  
24 (c) Any one of which individually does not meet the minimum lot size requirements of MCC  
25 .2854, but, when considered in combination, complies as nearly as possible, or exceeds,  
26 the minimum lot size requirements of MCC .2854, without creating any new lot line; and



(d) Which were, on March 10, 1994 or later, held under the same ownership.

(B) For the purposes of this subsection, *Same Ownership* refers to parcels in which greater than possessory interests are held by the same person or persons, spouse, minor age child, single partnership or business entity, separately or in tenancy in common.

ADOPTED THIS 8th day of February, 1994, being the date of its 2nd reading before the Board of County Commissioners of Multnomah County.



By

*Beverly Stein*

Beverly Stein, County Chair

MULTNOMAH COUNTY, OREGON

REVIEWED:

*John DuBay*

John DuBay, Chief Assistant County Counsel

for Multnomah County, Oregon