

**PROPOSED AMENDMENTS TO THE MCMINNVILLE MUNICIPAL CITY CODE –
TITLE 17, ZONING ORDINANCE**

New proposed language is represented by ***bold italic font***, deleted language is represented by ~~strikethrough font~~.

ZONING*

Chapters:

<u>17.03</u>	<u>General Provisions</u>
<u>17.06</u>	<u>Definitions</u>
<u>17.09</u>	<u>Zone Classifications, Boundaries, and Maps</u>
<u>17.10</u>	<u>Area and Master Planning Process</u>
<i><u>17.11</u></i>	<i><u>Residential Design and Development Standards</u></i>
<i><u>17.12</u></i>	<i><u>R-1 Low-Density, 9000SF Lot Residential Zone</u></i>
<i><u>17.15</u></i>	<i><u>R-2 Low-Density, 7000SF Lot Residential Zone</u></i>
<i><u>17.18</u></i>	<i><u>R-3 Medium-Density, 6000SF Lot Residential Zone</u></i>
<i><u>17.21</u></i>	<i><u>R-4 Medium, High-Density, 5000SF Lot Residential Zone</u></i>
<i><u>17.22</u></i>	<i><u>R-5 High-Density, Multiple-Dwelling Residential Zone</u></i>
<u>17.12</u>	<u>R-1 Single-Family Residential Zone</u>
<u>17.15</u>	<u>R-2 Single-Family Residential Zone</u>
<u>17.18</u>	<u>R-3 Two-Family Residential Zone</u>
<u>17.21</u>	<u>R-4 Multiple-Family Residential Zone</u>
<u>17.22</u>	<u>R-5 Multiple-Family Residential Zone</u>
<u>17.24</u>	<u>O-R Office/Residential Zone</u>
<u>17.27</u>	<u>C-1 Neighborhood Business Zone</u>
<u>17.30</u>	<u>C-2 Travel Commercial Zone</u>
<u>17.33</u>	<u>C-3 General Commercial Zone</u>
<u>17.36</u>	<u>M-L Limited Light Industrial Zone</u>
<u>17.39</u>	<u>M-1 Light Industrial Zone</u>
<u>17.42</u>	<u>M-2 General Industrial Zone</u>
<u>17.45</u>	<u>AH Agricultural Holding</u>
<u>17.48</u>	<u>F-P Flood Plain Zone</u>
<u>17.50</u>	<u>Neighborhood Activity Center Overlay District</u>
<u>17.51</u>	<u>Planned Development Overlay</u>
<u>17.52</u>	<u>Airport Overlay Zone</u>
<u>17.53</u>	<u>Land Division Standards</u>
<u>17.54</u>	<u>General Regulations</u>
<u>17.55</u>	<u>Wireless Communication Facilities</u>
<u>17.56</u>	<u>Large Format Commercial Development</u>
<u>17.57</u>	<u>Landscaping</u>
<u>17.58</u>	<u>Trees</u>
<u>17.59</u>	<u>Downtown Design Standards and Guidelines</u>

* Prior ordinance history: Ord. 3380 as amended by Ords. 3392, 3441, 3497, 3557, 3565, 3603, 3614, 3633, 3677, 3694, 3707, 3742, 3764, 3803, 3817, 3888, 3898, 3925, 3933, 3966, 3967, 3968, 3983, 3995, 4001, 4011, 4017, 4025, 4043, 4046, and 4066.

<u>17.60</u>	<u>Off-Street Parking and Loading</u>
<u>17.61</u>	<u>Solid Waste and Recycling Enclosure Plan</u>
<u>17.62</u>	<u>Signs</u>
<u>17.63</u>	<u>Nonconforming Uses</u>
<u>17.64</u>	<u>Marijuana Related Activities</u>
<u>17.65</u>	<u>Historic Preservation</u>
<u>17.66</u>	<u>City Center Housing Overlay Zone</u>
<u>17.67</u>	<u>Home Occupations</u>
<u>17.72</u>	<u>Applications and Review Process</u>
<u>17.74</u>	<u>Review Criteria</u>

Chapter 17.06

DEFINITIONS

[...]

Accessory Dwelling Unit – A secondary, self-contained single-family dwelling that may be allowed only in conjunction with a detached single-family dwelling. An accessory dwelling unit is subordinate in size, location, and appearance to the primary detached single-family dwelling. An accessory dwelling unit generally has its own outside entrance and always has a separate kitchen, bathroom and sleeping area. An accessory dwelling may be located within, attached to or detached from the primary single-family dwelling.

[...]

Cottage Cluster – *A grouping of no fewer than four detached dwelling units per acre with a footprint of less than 900 square feet each that includes a common courtyard; A city may allow Cottage Cluster units to be located on a single Lot or Parcel, or on individual Lots or Parcels.*

[...]

Dwelling, Common-Wall – See “Common Wall Construction.”

Dwelling, Multiple Family – A building containing ~~three~~ **five** or more dwelling units.

Dwelling, Single Detached Family – A detached building containing one dwelling unit.

Dwelling, Single Attached – *A dwelling unit, located on its own lot, that shares one or more common or abutting walls with one or more dwelling units. The common or abutting wall must be shared for at least 25 percent of the length of the side of the building. The shared or abutting walls may be any wall of the buildings,*

including the walls of attached garages. Each dwelling unit has its own external entrance.

Dwelling, Two-Family Duplex – A detached building containing two dwelling units and commonly known as a duplex. ***Two dwelling units on a single lot, may be attached or detached.***

Dwelling, Triplex – ***Three dwelling units on a single lot, may be attached or detached.***

Dwelling, Quadplex – ***Four dwelling units on a single lot, may be attached or detached.***

Dwelling Unit – A residence containing one or more rooms designed for occupancy by one family and having not more than one cooking facility. This includes both buildings constructed on-site and off-site, such as manufactured homes.

[...]

Family – For the purpose of this Zoning Ordinance, “family” refers to: An individual or two or more persons related by blood, marriage, adoption, or legal guardianship, or other duly authorized custodial relationship, living together as one housekeeping unit using one kitchen, and providing means of lodging to not more than two additional persons, excluding servants, or a group of not more than five unrelated persons, excluding servants, living together as one housekeeping unit using one kitchen. c; Ord. 4479A §1, 1991; Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

[...]

Guesthouse, Servants’ Quarters – (Repealed by Ord. 4952, March 13, 2012).

[...]

Single Room Occupancy (SRO)

SRO Housing Development - ***An SRO Housing Development is development of a site with two or more SRO Living Units and shared common areas and common facilities, including sanitary and/or food preparation areas, in one or more buildings on the site. All of the facilities for daily housekeeping, including living, sleeping, sanitation (toilet and bathing), dining, and food preparation are provided for the SRO Housing Development as a whole, subject to the standards provided in the Zoning Ordinance.***

Small SRO Housing Development - ***An SRO Housing Development with six or fewer SRO Living Units.***

Large SRO Housing Development - An SRO Housing Development with seven or more SRO Living Units.

SRO Living Unit - A single room occupancy living unit provides living and sleeping space for the exclusive use of the occupant, but requires that the unit share common sanitation (toilet and bathing) and/or food preparation facilities with other units within an SRO Housing Development.

[...]

Townhouse – A dwelling unit, located on its own lot, that shares one or more common or abutting walls with one or more dwelling units. The common or abutting wall must be shared for at least 25 percent of the length of the side of the building. The shared or abutting walls may be any wall of the buildings, including the walls of attached garages. Each dwelling unit has its own external entrance.

Chapter 17.09

ZONE CLASSIFICATION, BOUNDARIES AND MAPS

17.09.010 Zones established. For the purpose of this title, the following zones are established in the city:

Abbreviated Zone	<u>Designation</u>
Single Family Low-Density 9000 SF Lot Residential zone	R-1
Two Family Low-Density 7000 SF Lot Residential zone	R-2
Multiple Family Medium-Density 6000 SF Lot Residential zone	R-3
Multiple Family Medium, High-Density 5000 SF Lot Residential zone	R-4
Multiple Family High-Density Residential zone	R-5
Office/Residential zone	O-R
Neighborhood Business zone	C-1
Travel Commercial zone	C-2
General Commercial zone	C-3
Limited Light Industrial zone	M-L
Light Industrial zone	M-1
General Industrial zone	M-2
Agricultural Holding zone	AH
Flood Area zone	F-P

(Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

Chapter 17.12

R-1 SINGLE-FAMILY LOW-DENSITY 9000 SF LOT RESIDENTIAL ZONE

17.12.010 Permitted uses. In an R-1 zone, the following uses and their accessory uses are permitted:

A. ***Tiny Houses***, Site built single-***detached*** family dwelling and Class A mobile home subject to the following standards.

1. If the dwelling is removed, the exposed foundation and any outbuildings must be removed within 90 days or, if notice is given to the city, 180 days will be allowed for installation of another home on the existing foundation; and
2. A Class A mobile home shall have a pitched roof with a minimum slope of a nominal three feet in height for each 12 feet of run; and
3. A Class A mobile home shall not be located adjacent to an historic landmark or within an historic district, as identified in the current McMinnville Historic Resources Inventory; and
4. A Class A mobile home shall be multisectional, at least 24 feet in width, and enclose a space of not less than 1,000 square feet; and
5. A Class A mobile home shall be placed on an excavated and back-filled foundation and enclosed at the perimeter such that the manufactured home is located not more than 12 inches above grade; and
6. A Class A mobile home shall have exterior siding and roofing which in material and appearance is similar to the exterior siding and roofing material which is comparable to the predominant materials used on surrounding dwellings, as determined by the Planning Director. This requirement shall not be interpreted to mean that the City is responsible for enforcing codes, covenants, and restrictions of any homeowner's or other association; and
7. A Class A mobile home shall be certified by the manufacturer to have an exterior thermal envelope meeting performance standards which reduce heat loss to levels equivalent to the performance standards required of single-family dwellings constructed under the state building code as defined in ORS 455.010; and
8. A Class A mobile home shall have a garage or carport constructed of like materials. An attached or detached garage may be required in lieu of a carport where a garage is consistent with the predominant construction of immediately surrounding dwellings.

B. ***Missing Middle Housing***

1. ***Plexes: Duplex Dwelling; Triplex Dwelling; and Quadplex Dwelling.***
2. ***Cottage Clusters***
3. ***Townhouses***

~~Two-family dwelling on a corner lot with nine thousand square feet minimum area provided the subdivision plat designates the lot as duplex;~~

C. ***Single Room Occupancy – Small Housing.*** A single-family dwelling having a common wall with one other single-family dwelling, provided:

1. ~~Each dwelling unit shall be situated on an individual, legally subdivided or partitioned lot.~~
2. ~~The two dwellings shall have a common wall at the "zero" lot line.~~

- ~~3. One of the lots shall be a corner lot approved for this use on a subdivision plat hereafter approved by the Planning Commission and filed in accordance with law, and:
 - a. Both lots combined shall comprise not less than nine thousand square feet in area. There is no minimum lot area for the individual lots created.
 - b. Lot area and setback requirements will apply to the combined dwelling units as one structure and the combined lots as one lot.
OR both lots shall be interior lots approved for this use on subdivision plat here after approved by the Planning Commission and filed in accordance with the law, and approved by the Planning Commission and filed in accordance with the law, and
 - c. Each lot shall comprise not less than nine thousand square feet in area.
 - d. The setback requirements will apply to each dwelling unit independently, except that the setbacks for the "zero" lot line shall be waived.~~
- ~~4. Each dwelling unit must have independent services which include but are not limited to sewer, water, and electricity.~~
- ~~5. The common wall shall be a fire wall and shall be of a kind of construction that will insure fire protection as per the Uniform Building Code as adopted by the State.~~
- ~~6. Common wall, single-family structures shall be required to provide a sound barrier at the common wall which has a sound transmission class rating of not less than fifty as per the Uniform Building Code as adopted by the State. The building technique used to achieve the sound barrier rating shall be the responsibility of the general contractor and will be accepted upon inspection if it meets the code requirements and is supported by proof of meeting sound emission controls as specified.~~
- ~~7. Existing duplexes will be allowed to be converted to common wall, single-family dwelling units if they meet the provisions of this title and were constructed after January, 1974;~~
- D. Accessory Dwelling Unit (ADU) subject to the following standards:
 1. The accessory dwelling unit may be established by:
 - a. Conversion of an attic, basement, or garage or any other portion of the primary dwelling;
 - b. Adding floor area to the primary dwelling, including a second story;
 - c. Construction of a detached accessory dwelling unit on a lot with a primary single-family dwelling; or
 - d. Construction of a new primary dwelling with the existing dwelling being designated the ADU and found in compliance with all requirements of this Section.
 2. The square footage of the accessory dwelling shall not exceed 50 percent of the primary dwelling exclusive of the garage, or 1,000 square feet, whichever is less. The minimum area shall be as determined by the State of Oregon Building Codes Division.
 3. The building coverage of a detached ADU may not be larger than the building coverage of the primary dwelling.

- ~~4. The accessory dwelling shall meet all applicable standards for this zone including, but not limited to, setbacks, height, and building codes in effect at the time of construction. The maximum height allowed for a detached ADU is the lesser of 25 feet or the height of the primary dwelling.~~
 - ~~5. The structure's appearance, including siding, roofing, materials, and color shall coincide with that used on the primary dwelling unit, including roof pitch, eaves, window fenestration patterns, etc.~~
 - ~~6. One additional off-street parking space shall be provided (in addition to any off-street parking required for other uses on the same parcel or lot).~~
 - ~~7. Not more than one accessory dwelling unit shall be allowed per lot or parcel.~~
 - ~~8. The accessory dwelling unit shall contain a kitchen, bathroom, living, and sleeping area that completely independent from the primary dwelling.~~
 - ~~9. Manufactured homes, recreational vehicles, motor vehicles, travel trailers and all other forms of towable or manufactured structures, not to include modular structures, shall not be used as an accessory dwelling unit.~~
 - ~~10. ADUs are exempt from the residential density standards of this code.~~
 - ~~11. Occupancy and use standards for an ADU shall be the same as those applicable to a primary dwelling on the same site.~~
 - ~~12. That a legally non-conforming accessory structure located on residentially zoned land may be converted to an accessory dwelling unit in accordance with the requirements of Chapter 17.63 (Nonconforming Uses).~~
- E. Child Care Home (Registered or Certified Family Child Care Home), under the following provisions:
1. The structure is a residential dwelling unit.
 2. The provider resides at the dwelling.
 3. Child care is offered to not more than 16 children, including children of the provider, regardless of full-time or part-time status.
 4. Requirements of the Oregon Building Codes (including any Fire Life Safety Code) as amended, are met.
 5. Operator must have the appropriate licenses required by state regulations.
- F. Day Care Facility (Adult), under the following provisions:
1. The structure is maintained in its residential character; operators own, lease, or rent the property and reside therein; and the center is operated at a usage level equal to or subservient to the residential use of the structure.
 2. Twelve or fewer people are present at any one time at the center.
 3. Requirements of the Oregon Building Codes (including any Fire Life Safety Code) as amended, are met.
 4. Operator must have the appropriate licenses required by state regulations.
- G. Child Care Center, under the following provisions:
1. The facility is a City-owned park or recreation facility, a public school, or a conforming private school.
 2. Operator must have the appropriate licenses required by state regulations, if applicable.

- H. Residential Home as defined in Chapter 17.06 (Definitions)
- I. Social relief facility, under the following provisions:
 - 1. The structure is maintained in its residential character; operators own, lease, or rent the property and reside therein; and the center is operated at a usage level equal to or subservient to the residential use of the structure.
 - 2. Five or less people unrelated to the operator reside at the home at any one time.
 - 3. Requirements of the Oregon State Structural Specialty and Fire Life Safety Code (UBC) as amended, are met.
- J. Home occupation, subject to the provisions of Chapter 17.67 (Home Occupations);
- K. Model home, subject to the provisions of Section 17.54.060 of this ordinance;
- L. Public park and recreation area;
- M. Sewage pump station;
- N. Satellite dish provided such dish is screened from abutting or facing residential properties by a sight obscuring fence, wall, or planting.
- O. Resident occupied short term rental, subject to the provisions of Section 17.72.110 and the following standards:
 - 1. Resident occupied short term rentals shall be allowed in single family dwellings, common-wall single family dwellings, and accessory dwelling units (ADUs). The structure shall retain the characteristics of a single **dwelling** family residence.
 - 2. That the establishment be occupied full-time by a resident.
 - 3. That no more than two guest sleeping rooms are provided on a daily or weekly basis for the use of no more than a total of five travelers or transients at any one time.
 - 4. That a minimum of one off-street parking space be provided for the two permitted guest sleeping rooms. The required off-street guest parking may be provided on an existing parking lot located within 200 feet of the short term rental.
 - 5. That signing be limited to only one non-illuminated or incidentally illuminated wooden sign not exceeding three square feet of face area.
 - 6. That the duration of each guest's stay at the short term rental be limited to no more than 30 (thirty) consecutive days.
 - 7. That smoke detectors be provided as per the requirements for "lodging houses" in Ordinance No. 3997 of this code;
 - 8. Permits shall be issued to the current property owner at the time of application. Permits do not transfer with the sale or conveyance of the property. Upon any change in ownership, the short term rental permit for the subject property will become void. The use of the subject property as a short term rental by the new owner will again be subject to the application and review procedures in Section 17.72.110. The following situations are not deemed to be a change in ownership for the purposes of this section:
 - a. Transfer of property from a natural person(s) to a Trust serving the same natural person(s) or to a family member pursuant to a Trust; or

- b. Transfer of ownership pursuant to a will or bequest upon the death of the owner.
 9. Permits must be renewed annually. Failure to renew the short term rental permit annually will result in the permit becoming void, and the use of the subject property as a short term rental will again be subject to the application and review procedures in Section 17.72.110.
 10. Complaints on conditions 1 through 9 above will be reviewed by the Planning Commission at a public hearing. The Commission will review complaints based on the criteria listed in Sections 17.74.030 and 17.74.040 of the zoning ordinance. If the short term rental is found to be in violation of the criteria, the Planning Commission may terminate the use.
- P. Short term rental, subject to the provisions of Section 17.72.110 and the following standards:
 1. Short term rentals shall not be located within 200 feet of another short term rental, or on the same property as another short term rental.
 2. Short term rentals shall be allowed in single family dwellings, common-wall single family dwellings, and accessory dwelling units (ADUs). The structure shall retain the characteristics of a residence.
 3. That a minimum of one off-street parking space be provided for each guest room.
 4. That signage is limited to only one non-illuminated or incidentally illuminated wooden sign not exceeding three (3) square feet of face area.
 5. That the duration of each guest's stay at the residence be limited to no more than 30 (thirty) consecutive days.
 6. That smoke detectors be provided as per the requirements for "lodging houses" in Ordinance No. 3997.
 7. That the property owner shall live within the geographic area of the 97128 zip code or shall provide contact information of a person living within the geographic area of the 97128 zip code who shall be available to respond immediately to any emergency or complaint related to the short term rental.
 8. Permits shall be issued to the current property owner at the time of application. Permits do not transfer with the sale or conveyance of the property. Upon any change in ownership, the short term rental permit for the subject property will become void. The use of the subject property as a short term rental by the new owner will again be subject to the application and review procedures in Section 17.72.110. The following situations are not deemed to be a change in ownership for the purposes of this section:
 - a. Transfer of property from a natural person(s) to a Trust serving the same natural person(s) or to a family member pursuant to a Trust; or
 - b. Transfer of ownership pursuant to a will or bequest upon the death of the owner.
 9. Permits must be renewed annually. Failure to renew the short term rental permit annually will result in the permit becoming void, and the

use of the subject property as a short term rental will again be subject to the application and review procedures in Section 17.72.110.

10. Complaints on conditions 1 through 9 above will be reviewed by the Planning Commission at a public hearing. The Planning Commission will review complaints based on the criteria listed in Sections 17.74.030 and 17.74.040 of the zoning ordinance. If the short term rental is found to be in violation of the criteria, the Planning Commission may terminate the use. (Ord. 5104 §2, 2021; Ord. 5047 §2, 2018; Ord. 5040 §2, 2017; Ord. 4988 §1, 2015; Ord. 4984 §1, 2014; Ord. 4952 §1, 2012; Ord. 4912 §3, 2009; Ord. 4796 §1, 2003; Ord. 4564 §2, §3, 1994; Ord. 4534 §5(part), §7(part), 1993; Ord. 4499 §1, 1991; Ord. 4477 §1, 1990; Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

17.12.020 Conditional uses. In an R-1 zone, the following uses and their accessory uses may be permitted subject to the provisions of Chapters 17.72 and 17.74:

~~A. Two-family dwelling on corner lots with a minimum of nine thousand square feet;~~

17. Cemetery.

B. Child Care Center, under the following provisions:

1. The facility is not a facility defined in Section 17.12.010(G)(1).
2. Operator must have the appropriate licenses required by state regulations.

C. Church;

D. Community building, including library;

E. Day Care Facility (Adult), under the following provisions

1. The structure is not a residence.
2. Requirements of the Oregon Building Codes (including any Fire Life Safety Code) as amended, are met.
3. Operator must have the appropriate licenses required by state regulations.

F. Social relief facility, when the following situations exist:

1. The structure is not used as a residence by the operators, and/or
2. Six or more people unrelated to the operator reside at the home at any one time;

G. Farming and keeping of domestic animals;

H. Golf course, except driving range and miniature golf course when operated as a business;

I. Guesthouse or servants' quarters provided the lot is not less than twelve thousand square feet in area;

J. Home office of a physician or minister;

K. Public or private school;

L. Electrical power substation;

M. Water reservoir;

~~N. A single-family dwelling having a common wall with one other single-family dwelling, providing:~~

- ~~1. Each dwelling unit shall be situated on an individual, legally subdivided or partitioned lot.~~
- ~~2. The two dwellings shall have a common wall at the "zero" lot line.~~

- ~~3. One of the two lots shall be a corner lot, and:

 - a. Both lots combined shall comprise not less than nine thousand square feet in area. There is no minimum lot area for the individual lots created.
 - b. Lot area and setback requirements will apply to the combined dwelling units as one structure and the combined lots as one lot.
OR both lots shall be interior lots, and:
 - c. Each lot shall comprise not less than nine thousand square feet in area.
 - d. The setback requirements will apply to each dwelling unit independently, except that the setback for the “zero” lot line shall be waived.~~
- ~~5. Each dwelling unit must have independent services which include, but are not limited to sewer, water, and electricity.~~
- ~~6. The common wall shall be a fire wall and shall be a kind of construction that will insure fire protection as per the Uniform Building Code as adopted by the State.~~
- ~~7. Common wall, single-family structures shall be required to provide a sound barrier at the common wall which has a sound transmission class rating of not less than fifty as per the Uniform Building Code as adopted by the State. The building technique used to achieve the sound barrier rating shall be the responsibility of the general contractor and will be accepted upon inspection if it meets the code requirements and is supported by proof of meeting sound emission controls as specified.~~
- ~~8. Existing duplexes will be allowed to be converted to common wall, single-family units if they meet the provisions of this title and were constructed after January, 1974;~~
- O. Windmill, for generation of electricity or pumping water;
- P. Wireless communications facilities, not to include antenna support structures and their associated facilities, subject to the provisions of Chapter 17.55 (Wireless Communications Facilities).
- Q. Fire Station Substation.
- R. Residential Facility as defined in Chapter 17.06 (Definitions). (Ord. 5104 §2, 2021; Ord. 4988 §1, 2015; Ord. 4959 §1, 2012, Ord. 4952 §1, 2012; Ord. 4944 §1(b), 2011; Ord. 4902 §1(b), 2008; Ord. 4732, 2000; Ord. 4534 §6(part), §8(part), 1993; Ord. 4479A §4(part), 1991; Ord. 4292 §2(b), 1984; Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

17.12.030 Lot size. In an R-1 zone the lot area shall not be less than nine thousand square feet, except as provided in ~~Sections 17.12.010(C), and 17.12.020(O), and~~ **Section 17.11.070(C), Table 1(C), Townhouses**, of this title. (Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

17.12.040 Yard requirements. In an R-1 zone each lot shall have yards of the following size unless otherwise provided for in Section 17.54.050:

- A. A front yard shall not be less than twenty feet, **except as provided in Section 17.11.030(C), Table 1(d), Cottage Clusters.**

- B. A rear yard shall not be less than twenty feet, **except as provided in Section 17.11.030(C), Table 1(f), Cottage Clusters.**
- C. A side yard shall not be less than ten feet, except an exterior side yard shall not be less than twenty feet, **except as provided in Section 17.11.030(C), Table 1(c), Cottage Clusters.** (Ord. 4912 §3, 2009; Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

17.12.050 Building height. In an R-1 zone, a building shall not exceed a height of thirty-five feet. (Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

17.12.060 Density requirements. **In an R-1 zone, the maximum density for single attached dwellings may not exceed four dwelling units per 9,000 square feet. Density maximums may not apply to any other permitted housing types, including accessory dwelling units.** ~~In an R-1 zone, the lot area per family shall not be less than nine thousand square feet, except that the lot area for approved two-family corner lots and common wall, single-family corner lots shall not be less than nine thousand square feet for two families. This requirement does not apply to accessory dwelling units.~~ (Ord. 4796 §1(b), 2003; Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

~~17.12.070 Signs. Moved to Chapter 17.62~~

Chapter 17.15

R-2 SINGLE-FAMILY LOW-DENSITY 7000 SF LOT RESIDENTIAL ZONE

17.15.010 Permitted uses. In an R-2 zone, the following uses and their accessory uses are permitted:

- A. **Tiny Houses,** Site built single-family **detached** dwelling and Class A mobile home subject to the following standards:
 1. If the dwelling is removed, the exposed foundation and any outbuildings must be removed within 90 days or, if notice is given to the city, 180 days will be allowed for installation of another home on the existing foundation; and
 2. A Class A mobile home shall have a pitched roof with a minimum slope of a nominal three feet in height for each twelve feet of run; and
 3. A Class A mobile home shall not be located adjacent to a historic landmark or within a historic district, as identified in the current McMinnville Historic Resources Inventory; and
 4. A Class A mobile home shall be multisectional, at least 24 feet in width, and enclose a space of not less than 1,000 square feet; and
 5. A Class A mobile home shall be placed on an excavated and back-filled foundation and enclosed at the perimeter such that the manufactured home is located not more than 12 inches above grade; and
 6. A Class A mobile home shall have exterior siding and roofing which in material and appearance is similar to the exterior siding and roofing

material which is comparable to the predominant materials used on surrounding dwellings, as determined by the Planning Director. This requirement shall not be interpreted to mean that the City is responsible for enforcing codes, covenants and restrictions of any homeowner's or other association; and

7. A Class A mobile home shall be certified by the manufacturer to have an exterior thermal envelope meeting performance standards which reduce heat loss to levels equivalent to the performance standards required of single-family dwellings constructed under the state building code as defined in ORS 455.010; and
8. A Class A mobile home shall have a garage or carport constructed of like materials. An attached or detached garage may be required in lieu of a carport where a garage is consistent with the predominant construction of immediately surrounding dwellings.

B. *Missing Middle Housing*

1. ***Plexes: Duplex Dwelling; Triplex Dwelling; Quadplex Dwelling***
2. ***Cottage Clusters***
3. ***Townhouses***

~~Two-family dwelling on a corner lot with eight thousand square feet minimum area;~~

C. *Single Room Occupancy – Small Housing*. A single-family dwelling having a common wall with one other single-family dwelling, provided:

- ~~8. Each dwelling unit shall be situated on an individual, legally subdivided or partitioned lot.~~
- ~~9. The two dwellings shall have a common wall at the "zero" lot line.~~
- ~~10. One of the lots shall be a corner lot approved for this use on a subdivision plat hereafter approved by the Planning Commission and filed in accordance with law, and:~~
 - ~~c. Both lots combined shall comprise not less than nine thousand square feet in area. There is no minimum lot area for the individual lots created.~~
 - ~~d. Lot area and setback requirements will apply to the combined dwelling units as one structure and the combined lots as one lot.
OR both lots shall be interior lots approved for this use on subdivision plat here after approved by the Planning Commission and filed in accordance with the law, and approved by the Planning Commission and filed in accordance with the law, and~~
 - ~~e. Each lot shall comprise not less than nine thousand square feet in area.~~
 - ~~f. The setback requirements will apply to each dwelling unit independently, except that the setbacks for the "zero" lot line shall be waived.~~
- ~~11. Each dwelling unit must have independent services which include but are not limited to sewer, water, and electricity.~~
- ~~12. The common wall shall be a fire wall and shall be of a kind of construction that will insure fire protection as per the Uniform Building Code as adopted by the State.~~

- ~~13. Common wall, single-family structures shall be required to provide a sound barrier at the common wall which has a sound transmission class rating of not less than fifty as per the Uniform Building Code as adopted by the State. The building technique used to achieve the sound barrier rating shall be the responsibility of the general contractor and will be accepted upon inspection if it meets the code requirements and is supported by proof of meeting sound emission controls as specified.~~
- ~~14. Existing duplexes will be allowed to be converted to common wall, single-family dwelling units if they meet the provisions of this title and were constructed after January, 1974;~~

~~D. Accessory Dwelling Unit (ADU) subject to the following standards:~~

- ~~1. The accessory dwelling unit may be established by:
 - a. Conversion of an attic, basement, or garage or any other portion of the primary dwelling;
 - b. Adding floor area to the primary dwelling, including a second story;
 - c. Construction of a detached accessory dwelling unit on a lot with a primary single-family dwelling; or
 - d. Construction of a new primary dwelling with the existing dwelling being designated the ADU and found in compliance with all requirements of this Section.~~
- ~~2. The square footage of the accessory dwelling shall not exceed 50 percent of the primary dwelling exclusive of the garage, or 1,000 square feet, whichever is less. The minimum area shall be as determined by the State of Oregon Building Codes Division.~~
- ~~3. The building coverage of a detached ADU may not be larger than the building coverage of the primary dwelling.~~
- ~~4. The accessory dwelling shall meet all applicable standards for this zone including, but not limited to, setbacks, height, and building codes in effect at the time of construction. The maximum height allowed for a detached ADU is the lesser of 25 feet or the height of the primary dwelling.~~
- ~~5. The structure's appearance, including siding, roofing, materials, and color shall coincide with that used on the primary dwelling unit, including roof pitch, eaves, window fenestration patterns, etc.~~
- ~~6. One additional off-street parking space shall be provided (in addition to any off-street parking required for other uses on the same parcel or lot).~~
- ~~7. Not more than one accessory dwelling unit shall be allowed per lot or parcel.~~
- ~~8. The accessory dwelling unit shall contain a kitchen, bathroom, living, and sleeping area that completely independent from the primary dwelling.~~
- ~~9. Manufactured homes, recreational vehicles, motor vehicles, travel trailers and all other forms of towable or manufactured structures, not to include modular structures, shall not be used as an accessory dwelling unit.~~
- ~~10. ADUs are exempt from the residential density standards of this code.~~
- ~~11. Occupancy and use standards for an ADU shall be the same as those applicable to a primary dwelling on the same site.~~
- ~~12. That a legally non-conforming accessory structure located on residentially zoned land may be converted to an accessory dwelling unit~~

~~in accordance with the requirements of Chapter 17.63 (Nonconforming Uses).~~

- D. Child Care Home (Registered or Certified Family Child Care Home), under the following provisions:
 - 1. The structure is a residential dwelling unit.
 - 2. The provider resides at the dwelling.
 - 3. Child care is offered to not more than 16 children, including children of the provider, regardless of full-time or part-time status.
 - 4. Requirements of the Oregon Building Codes (including any Fire Life Safety Code) as amended, are met.
 - 5. Operator must have the appropriate licenses required by state regulations.
- E. Day Care Facility (Adult), under the following provisions:
 - 1. The structure is maintained in its residential character; operators own, lease, or rent the property and reside therein; and the center is operated at a usage level equal to or subservient to the residential use of the structure.
 - 2. Twelve or fewer people are present at any one time at the center.
 - 3. Requirements of the Oregon Building Codes (including any Fire Life Safety Code) as amended, are met.
 - 4. Operator must have the appropriate licenses required by state regulations.
- F. Child Care Center, under the following provisions:
 - 1. The facility is a City-owned park or recreation facility, a public school, or a conforming private school.
 - 2. Operator must have the appropriate licenses required by state regulations, if applicable.
- G. Residential Home as defined in Chapter 17.06 (Definitions)
- H. Social relief facility, under the following provisions:
 - 1. The structure is maintained in its residential character, operators own, lease, or rent the property and reside therein, and the center is operated at a usage level equal to or subservient to the residential use of the structure.
 - 2. Five or less people unrelated to the operator, reside at the home at any one time.
 - 3. Requirements of the Oregon State Structural Specialty and Fire Life Safety Code (UBC), as amended, are met.
- I. Home occupation subject to the provisions of Chapter 17.67 (Home Occupations);
- J. Model home, subject to the provisions of Section 17.54.060 of this ordinance;
- K. Public park and recreation area;
- L. Sewage pump station;
- M. Satellite dish, provided such dish is screened from abutting or facing residential properties by a sight obscuring fence, wall, or planting.
- N. Resident occupied short term rentals, subject to the provisions of Section 17.12.010(N);
- O. Short term rentals, subject to the provisions of Section 17.12.010(O). (Ord. 5104 §2, 2021; Ord. 5047 §2, 2018, Ord. 5040 §2, 2017; Ord. 4988 §1, 2015;

Ord. 4984 §1, 2014; Ord. 4952 §1, 2012; Ord. 4912 §3, 2009; Ord. 4796 §1(e), 2006; Ord. 4564 §2, §3, 1994; Ord. 4534 §5(part), §7(part), 1993; Ord. 4499; Ord. 4477 §1, 1990; Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

17.15.020 Conditional uses. In an R-2 zone, the following uses and their accessory uses may be permitted subject to the provisions of Chapters 17.72 and 17.74:

- A. Cemetery;
- B. Child Care Center, under the following provisions:
 - 1. The facility is not a facility defined in Section 17.15.010(G)(1).
 - 2. Operator must have the appropriate licenses required by state regulations.
- C. Church;
- D. Community building, including library;
- E. Day Care Facility (Adult), under the following provisions
 - 1. The structure is not a residence.
 - 2. Requirements of the Oregon Building Codes (including any Fire Life Safety Code) as amended, are met.
 - 3. Operator must have the appropriate licenses required by state regulations.
- F. Social relief facility, when the following situations exist:
 - 1. The structure is not used as a residence by the operators and/or
 - 2. Six or more people unrelated to the operator reside at the home at any one time.
- G. Farming and keeping of domestic animals;
- H. Golf course, except driving range and miniature golf course when operated as a business;
- I. Guesthouse ~~or servants' quarters~~ provided the lot is not less than twelve thousand square feet in area;
- J. Home office of a physician or minister;
- K. Public or private school;
- L. Electrical power substation;
- M. Water reservoir;
- N. Windmill, for the generation of electricity or pumping water;
- O. Wireless communications facilities, not to include antenna support structures and their associated facilities, subject to provisions of Chapter 17.55 (Wireless Communications Facilities).
- P. Fire Service Substation.
- Q. Residential Facility as defined in Chapter 17.06 (Definitions). (Ord. 5104 §2, 2021; Ord. 4988 §1, 2015; Ord. 4952 §1, 2012; Ord. 4944 §1, 2011; Ord. 4902 §1, 2008; Ord. 4732, 2000; Ord. 4534 §6(part), §8(part), 1993; Ord. 4479A §4(part), 1991; Ord. 4292 §2(b), 1984; Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

17.15.030 Lot size. In an R-2 zone, the lot size shall not be less than seven thousand square feet **except as provided in Section 17.11.070(C), Table 1(C), Townhouses**, of this title (Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

17.15.040 Yard requirements. In an R-2 zone, each lot shall have yards of the following size unless otherwise provided for in Section 17.54.050:

- A. A front yard shall not be less than twenty feet, **except as provided in Section 17.11.030(C) Table 1(d), Cottage Clusters.**
- B. A rear yard shall not be less than twenty feet, **except as provided in Section 17.11.030(C), Table 1(f), Cottage Clusters.**
- C. A side yard shall not be less than seven and one-half feet. ~~except~~ An exterior side yard on the street side of a corner lot shall be not less than twenty feet, **except as provided in Section 17.11.030(C), Table 1(c), Cottage Clusters.** (Ord. 4912 §3, 2009; Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

17.15.050 Building height. In an R-2 zone, a building shall not exceed a height of thirty-five feet. (Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

17.15.060 Density requirements. ***In an R-2 zone, the maximum density for single attached dwellings may not exceed four dwelling units per 7,000 square feet. Density maximums may not apply to any other permitted housing types, including accessory dwelling units.*** ~~In an R-2 zone, the lot area per family shall not be less than seven thousand square feet, except that the lot area for two-family corner lots and common wall, single-family corner lots shall not be less than eight thousand square feet for two families. This requirement does not apply to accessory dwelling units.~~ (Ord. 4796 §1(b), 2003; Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

~~[17.15.070 Signs. Moved to Chapter 17.62 (Signs), by Ord. 4900 November 5, 2008.]~~

Chapter 17.18

R-3 TWO-FAMILY MEDIUM-DENSITY 6000 SF LOT RESIDENTIAL ZONE

17.18.010 Permitted uses. In an R-3 zone, the following uses and their accessory uses are permitted:

- A. ***Tiny Houses***, Single-family ***detached*** dwelling;
- B. ***Missing Middle Housing***
 - 1. ***Plexes: Duplex Dwelling, Triplex Dwelling, Quadplex Dwelling (minimum lot size of seven thousand square feet)***
 - 2. ***Cottage Clusters***
 - 3. ***Townhouses***
Two-family dwelling;
- C. ***Single Room Occupancy – Small Housing.*** ~~An attached single dwelling having a common wall with one other single-family dwelling, provided:~~
 - 1. ~~Each dwelling unit shall be situated on an individual, legally subdivided or partitioned lot.~~
 - 2. ~~The two dwellings shall have a common wall at the “zero” lot line.~~

- ~~3. Both lots combined comprise not less than **three thousand** eight thousand square feet in area. There is no minimum lot area for the individual lots created.~~
- ~~4. Lot area and setback requirements will apply to the combined dwelling units as one structure and the combined lots as one lot.~~
- ~~5. Each dwelling unit must have independent services which include, but are not limited to sewer, water and electricity.~~
- ~~6. The common wall shall be a fire wall, and shall be a kind of construction that will insure fire protection as per the Uniform Building Code as adopted by the State,~~
- ~~7. Common wall, single-family **dwelling** structures shall be required to provide a sound barrier at the common wall which has a sound transmission class rating of not less than fifty as per the Uniform Building Code as adopted by the State. The building technique used to achieve the sound barrier rating shall be the responsibility of the general contractor and will be accepted upon inspection if it meets the code requirements and is supported by proof of meeting sound emission controls as specified.~~
- ~~8. Existing duplexes will be allowed to be converted to common wall, single-family units if they meet the provisions of this title and were constructed after January, 1974.~~

D. Accessory Dwelling Unit (ADU) subject to the following standards:

- ~~1. The accessory dwelling unit may be established by:
 - a. Conversion of an attic, basement, or garage or any other portion of the primary dwelling;
 - b. Adding floor area to the primary dwelling, including a second story;
 - c. Construction of a detached accessory dwelling unit on a lot with a primary single-family dwelling; or
 - d. Construction of a new primary dwelling with the existing dwelling being designated the ADU and found in compliance with all requirements of this Section.~~
- ~~2. The square footage of the accessory dwelling shall not exceed 50 percent of the primary dwelling exclusive of the garage, or 1,000 square feet, whichever is less. The minimum area shall be as determined by the State of Oregon Building Codes Division.~~
- ~~3. The building coverage of a detached ADU may not be larger than the building coverage of the primary dwelling.~~
- ~~4. The accessory dwelling shall meet all applicable standards for this zone including, but not limited to, setbacks, height, and building codes in effect at the time of construction. The maximum height allowed for a detached ADU is the lesser of 25 feet or the height of the primary dwelling.~~
- ~~5. The structure's appearance, including siding, roofing, materials, and color shall coincide with that used on the primary dwelling unit, including roof pitch, eaves, window fenestration patterns, etc.~~
- ~~6. One additional off-street parking space shall be provided (in addition to any off-street parking required for other uses on the same parcel or lot).~~
- ~~7. Not more than one accessory dwelling unit shall be allowed per lot or parcel.~~

- ~~8. The accessory dwelling unit shall contain a kitchen, bathroom, living, and sleeping area that completely independent from the primary dwelling.~~
 - ~~9. Manufactured homes, recreational vehicles, motor vehicles, travel trailers and all other forms of towable or manufactured structures, not to include modular structures, shall not be used as an accessory dwelling unit.~~
 - ~~10. ADUs are exempt from the residential density standards of this code.~~
 - ~~11. Occupancy and use standards for an ADU shall be the same as those applicable to a primary dwelling on the same site.~~
 - ~~12. That a legally non-conforming accessory structure located on residentially zoned land may be converted to an accessory dwelling unit in accordance with the requirements of Chapter 17.63 (Nonconforming Uses).~~
- E. Child Care Home (Registered or Certified Family Child Care Home), under the following provisions:
1. The structure is a residential dwelling unit.
 2. The provider resides at the dwelling.
 3. Child care is offered to not more than 16 children, including children of the provider, regardless of full-time or part-time status.
 4. Requirements of the Oregon Building Codes (including any Fire Life Safety Code) as amended, are met.
 5. Operator must have the appropriate licenses required by state regulations.
- F. Day Care Facility (Adult), under the following provisions:
1. The structure is maintained in its residential character; operators own, lease, or rent the property and reside therein; and the center is operated at a usage level equal to or subservient to the residential use of the structure.
 2. Twelve or fewer people are present at any one time at the center.
 3. Requirements of the Oregon Building Codes (including any Fire Life Safety Code) as amended, are met.
 4. Operator must have the appropriate licenses required by state regulations.
- G. Child Care Center, under the following provisions:
1. The facility is a City-owned park or recreation facility, a public school, or a conforming private school.
 2. Operator must have the appropriate licenses required by state regulations, if applicable.
- H. Residential Home as defined in Chapter 17.06 (Definitions)
- I. Social relief facility, under the following provisions:
1. The structure is maintained in its residential character, operators own, lease or rent the property and reside therein, and the center is operated at a usage level equal to or subservient to the residential use of the structure.
 2. Five or less people unrelated to the operator, reside at the home at any one time.
 3. Requirements of the Oregon State Structural Specialty and Fire Life Safety Code (UBC), as amended, are met.

- J. Home occupation, subject to the provisions of Chapter 17.67 (Home Occupations);
- K. Mobile home subdivision, provided that the provisions of both the McMinnville Land Division Ordinance and the Mobile Home Development Ordinance are met and that a minimum of ten contiguous lots are developed solely for mobile home occupation;
- L. Model home, subject to the provisions of Section 17.54.060 of this ordinance;
- M. Public park and recreation area;
- N. Sewage pump station;
- O. Mobile home park, subject to the provisions of the Mobile Home Development Ordinance;
- P. Satellite dish, provided such dish is screened from abutting or facing residential properties by a sight obscuring fence, wall, or planting.
- Q. Resident occupied short term rentals, subject to the provisions of Section 17.12.010(N).
- R. Short term rentals, subject to the provisions of Section 17.12.010(O). (Ord. 5104 §2, 2021; Ord. 5047 §2, 2018, Ord. 5040 §2, 2017; Ord. 4988 §1, 2015; Ord. 4984 §1, 2014; Ord. 4952 §1, 2012; Ord. 4912 §3, 2009; Ord. 4796 §1(e), 2003; Ord. 4564 §4(part), §5, 1994; Ord. 4534 §5(part), §7(part), 1993; Ord. 4481 §1, 1991; Ord. 4479A §4(part), 1991; Ord. 4477 §1(part), 1990; Ord. 4221 §1, 1982; Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

17.18.020 Conditional uses. In an R-3 zone, the following uses and their accessory uses may be permitted subject to the provisions of Chapters 17.72 and 17.74:

- A. Cemetery;
- B. Child Care Center, under the following provisions:
 1. The facility is not a facility defined in Section 17.18.010(G)(1).
 2. Operator must have the appropriate licenses required by state regulations.
- C. Church;
- D. Community building, including library;
- E. Day Care Facility (Adult), under the following provisions
 1. The structure is not a residence.
 2. Requirements of the Oregon Building Codes (including any Fire Life Safety Code) as amended, are met.
 3. Operator must have the appropriate licenses required by state regulations.
- F. Social relief facility, when the following situations exist:
 1. The structure is not used as a residence by the operators, and/or
 2. Six or more people unrelated to the operator reside at the home at any one time.
- G. Farming and keeping of domestic animals;
- H. Golf course, except driving range and miniature golf course when operated as a business;
- I. Guesthouse or ~~servant quarters~~ provided the lot is not less than twelve thousand square feet in area;
- J. Home office of a physician or minister;
- K. Public or private school;

- L. Electrical power substation;
- M. Water reservoir;
- N. Windmill, for the generation of electricity or pumping water;
- O. Wireless communications facilities, not to include antenna support structures and their associated facilities, subject to the provisions of Chapter 17.55 (Wireless Communications Facilities).
- P. Fire Service Substation.
- Q. Residential Facility as defined in Chapter 17.06 (Definitions). (Ord. 5104 §2, 2021; Ord. 4988 §1, 2015; Ord. 4952 §1, 2012; Ord. 4944 §1(d), 2011; Ord. 4902 §1(d), 2008; Ord. 4732, 2000; Ord. 4534 §6(part), §8(part), 1993; Ord. 4479A §4(part), 1991; Ord. 4292 §2(d), 1984; (Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

17.18.030 Lot size. In an R-3 zone the lot size shall not be less than six thousand square feet **except as provided in Section 17.11.070(C), Table 1(C), Townhouses-** (Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

17.18.040 Yard requirements. In an R-3 zone, each lot shall have yards of the following size unless otherwise provided for in Section 17.54.050:

- A. A front yard shall not be less than fifteen feet, **except as provided in Section 17.11.030(C), Table 1(d), Cottage Clusters.**
- B. A rear yard shall not be less than twenty feet, **except as provided in Section 17.11.030(C), Table 1(f), Cottage Clusters.**
- C. A side yard shall not be less than seven and one-half feet. An exterior side yard on the street side of a corner lot shall be not less than fifteen feet, **except as provided in Section 17.11.030(C), Table 1(c), Cottage Clusters.** (Ord. 4912 §3, 2009; Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

17.18.050 Building height. In an R-3 zone, a building shall not exceed a height of thirty-five feet. (Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

17.18.060 Density requirements. **In an R-3 zone, the maximum density for single attached dwellings may not exceed four dwelling units per 6,000 square feet, whichever is less. Density maximums may not apply to any other permitted housing types, including accessory dwelling units.** ~~In an R-3 zone, the lot area per family shall not be less than four thousand square feet, except that the lot area for common wall, single-family corner lots shall not be less than eight thousand square feet for two families. This requirement does not apply to accessory dwelling units.~~ (Ord. 4796 §1(b), 2003; Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

~~[17.18.070 Signs. Moved to Chapter 17.62 (Signs), by Ord. 4900 November 5, 2008.]~~

R-4 MULTIPLE-FAMILY **MEDIUM, HIGH-DENSITY 5000 SF LOT** RESIDENTIAL ZONE

17.21.010 Permitted uses. In an R-4 zone, the following uses and their accessory uses are permitted:

- A. **Tiny Houses**, Single-family *detached* dwelling;
- B. **Missing Middle Housing**
 - 1. **Plexes: Duplex Dwelling; Triplex Dwelling; Quadplex Dwelling (minimum lot size of seven thousand square feet)**
 - 2. **Cottage Clusters**
 - 3. **Townhouses**
 - ~~Two-Family Dwelling~~
- C. **Apartments**; Multiple-family dwelling subject to the following:
 - 1. **Developments with five or more units.**
 - 2. The property on which the use will be located has direct access from a major collector or minor arterial street, or a local collector street within 600' of a collector or arterial street; or
 - 3. The property is located within one-half mile of a planned or existing transit route; or
 - 4. The property is within one-quarter mile from a planned or existing neighborhood or commercial shopping area.
- D. Accessory Dwelling Unit (ADU) ~~subject to the following standards:~~
 - ~~1. The accessory dwelling unit may be established by:
 - a. Conversion of an attic, basement, or garage or any other portion of the primary dwelling;
 - b. Adding floor area to the primary dwelling, including a second story;
 - c. Construction of a detached accessory dwelling unit on a lot with a primary single-family dwelling; or
 - d. Construction of a new primary dwelling with the existing dwelling being designated the ADU and found in compliance with all requirements of this Section.~~
 - ~~2. The square footage of the accessory dwelling shall not exceed 50 percent of the primary dwelling exclusive of the garage, or 1,000 square feet, whichever is less. The minimum area shall be as determined by the State of Oregon Building Codes Division.~~
 - ~~3. The building coverage of a detached ADU may not be larger than the building coverage of the primary dwelling.~~
 - ~~4. The accessory dwelling shall meet all applicable standards for this zone including, but not limited to, setbacks, height, and building codes in effect at the time of construction. The maximum height allowed for a detached ADU is the lesser of 25 feet or the height of the primary dwelling.~~
 - ~~5. The structure's appearance, including siding, roofing, materials, and color shall coincide with that used on the primary dwelling unit, including roof pitch, eaves, window fenestration patterns, etc.~~

- ~~6. One additional off-street parking space shall be provided (in addition to any off-street parking required for other uses on the same parcel or lot).~~
 - ~~7. Not more than one accessory dwelling unit shall be allowed per lot or parcel.~~
 - ~~8. The accessory dwelling unit shall contain a kitchen, bathroom, living, and sleeping area that completely independent from the primary dwelling.~~
 - ~~9. Manufactured homes, recreational vehicles, motor vehicles, travel trailers and all other forms of towable or manufactured structures, not to include modular structures, shall not be used as an accessory dwelling unit.~~
 - ~~10. ADUs are exempt from the residential density standards of this code.~~
 - ~~11. Occupancy and use standards for an ADU shall be the same as those applicable to a primary dwelling on the same site.~~
 - ~~12. That a legally non-conforming accessory structure located on residentially zoned land may be converted to an accessory dwelling unit in accordance with the requirements of Chapter 17.63 (Nonconforming Uses).~~
- E. Condominium;
- F. Residential Home as defined in Chapter 17.06 (Definitions)
- G. **Single Room Occupancy – Small Housing;**
Single Room Occupancy – Large Housing ~~A single-family dwelling. An attached single dwelling, having a common wall with one or more other single-family dwellings, provided:~~
- ~~1. Each dwelling unit shall be situated on an individual, legally subdivided or partitioned lot.~~
 - ~~2. The dwelling shall have a common wall at the “zero” lot line.~~
 - ~~3. Each lot shall average comprise not less than one thousand five hundred seven thousand square feet in area, or less.~~
 - ~~4. Lot area and setback requirements will apply to the combined dwelling units as one structure and the combined lots as one lot.~~
 - ~~5. Each dwelling unit must have independent services which include, but are not limited to sewer, water and electricity.~~
 - ~~6. The common wall shall be a fire wall, and shall be a kind of construction that will insure fire protection as per the Uniform Building Code as adopted by the State.~~
 - ~~7. Common wall, single-family dwelling structures shall be required to provide a sound barrier at the common wall which has a sound transmission class rating of not less than fifty (50) as per the Uniform Building Code as adopted by the State. The building technique used to achieve the sound barrier rating shall be the responsibility of the general contractor and will be accepted upon inspection if it meets the code requirements and is supported by proof of meeting sound emission controls as specified.~~
 - ~~8. Existing duplexes will be allowed to be converted to common wall, single-family units if they meet the provisions of this title and were constructed after January, 1974.~~
- H. Child Care Home (Registered or Certified Family Child Care Home), under the following provisions:
1. The structure is a residential dwelling unit.

2. The provider resides at the dwelling.
 3. Child care is offered to not more than 16 children, including children of the provider, regardless of full-time or part-time status.
 4. Requirements of the Oregon Building Codes (including any Fire Life Safety Code) as amended, are met.
 5. Operator must have the appropriate licenses required by state regulations.
- I. Day Care Facility (Adult), under the following provisions:
1. The structure is maintained in its residential character; operators own, lease, or rent the property and reside therein; and the center is operated at a usage level equal to or subservient to the residential use of the structure.
 2. Twelve or fewer people are present at any one time at the center.
 3. Requirements of the Oregon Building Codes (including any Fire Life Safety Code) as amended, are met.
 4. Operator must have the appropriate licenses required by state regulations.
- J. Child Care Center, under the following provisions:
1. The facility is a City-owned park or recreation facility, a public school, or a conforming private school.
 2. Operator must have the appropriate licenses required by state regulations, if applicable.
- K. Residential Home as defined in Chapter 17.06 (Definitions).
- L. Residential Facility as defined in Chapter 17.06 (Definitions).
- M. Social relief facility, under the following provisions:
1. The structure is maintained in its residential character, operators own, lease, or rent the property and reside therein, and the center is operated at a usage level equal to or subservient to the residential use of the structure.
 2. Five or less people unrelated to the operator, reside at the home at any one time.
 3. Requirements of the Oregon State Structural Specialty and Fire Life Safety Code (UBC), as amended, are met.
- N. Home occupation, subject to the provisions of Chapter 17.67 (Home Occupations);
- O. Mobile home subdivision, provided that the provisions of both the McMinnville Subdivision Ordinance and the Mobile Home Development Ordinance are met and that a minimum of ten contiguous lots are developed solely for mobile home occupation;
- P. Model home, subject to the provisions of Section 17.54.060 of this ordinance;
- Q. Public park and recreation area;
- R. Sewage pump station;
- S. Mobile home park, subject to the provisions of the Mobile Home Development Ordinance;
- T. Resident occupied short term rentals, subject to the provisions of Section 17.12.010(N);
- U. Satellite dish, provided such dish is screened from abutting or facing residential properties by a sight obscuring fence, wall, or planting.

- V. Short term rentals, subject to the provisions of Section 17.12.010(O). (Ord. 5104 §2, 2021; Ord 5098 §1, 2020, Ord. 5047 §2, 2018, Ord. 5040 §2, 2017; Ord. 4984 §1, 2014; Ord. 4952 §1, 2012; Ord. 4912 §3, 2009; Ord. 4796 §1(e), 2003; Ord. 4564 §4(part), 1995; Ord. 4534 §5(part), §7(part), 1993; Ord. 4479A §4(part), 1991; Ord. 4477 §1(part), 1990; Ord. 4292 §2(e), 1984; Ord. 4221 §2, 1982; Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

17.21.020 Conditional uses. In an R-4 zone, the following uses and their accessory uses may be permitted subject to the provisions of Chapters 17.72 and 17.74.030:

- A. Campus living organization (fraternity, sorority or dormitory);
- B. Cemetery;
- C. Child Care Center, under the following provisions:
 - 1. The facility is not a facility defined in Section 17.21.010(J)(1).
 - 2. Operator must have the appropriate licenses required by state regulations.
- D. Church;
- E. Community building, including library;
- F. Day Care Facility (Adult), under the following provisions
 - 1. The structure is not a residence.
 - 2. Requirements of the Oregon Building Codes (including any Fire Life Safety Code) as amended, are met.
 - 3. Operator must have the appropriate licenses required by state regulations.
- G. Social relief facility, when the following situations exist:
 - 1. The structure is not used as a residence by the operators, and/or
 - 2. Six or more people unrelated to the operator reside at the home at any one time.
- H. Farming and keeping of domestic animals;
- I. Golf course, except driving range and miniature golf course when operated as a business;
- J. Home office of a physician or minister;
- K. Hospital and clinic;
- L. Nursing/convalescent home;
- M. A multiple-family dwelling constructed to a higher density than normally allowed in the R-4 Multiple-Family **dwelling** zone provided that the following conditions are met. It is the applicant's burden to show that the conditions have been met:
 - 1. That public and private utilities and services would not be overtaxed by the proposed development. Utilities and services include, but are not necessarily limited to, water, sanitary sewer, public schools, fire protection, police protection, electricity, natural gas, and telephone service.
 - 2. That the transportation network in the immediate area as well as in the adjoining areas is capable of handling the prospective increase in traffic flow.
 - 3. That off-street parking be provided at the rate of one and one-half parking stalls per unit. A variance to this requirement may be considered by the

- Planning Commission when the proposed housing structure is limited solely to elderly residents.
4. That adjacent properties in other ownerships would not be caused to be limited to a lesser density than allowed in the zone as a direct result of the proposal using a “share” of that adjacent property’s public or private utilities or services.
 5. That the provisions of this section may be utilized only in the core area, defined as that area bounded by First Street, Fifth Street, Adams Street, and Johnson Street.
- N. Public or private school or college;
- O. Electrical power substation;
- P. Water reservoir;
- Q. Windmill, for generation of electricity or pumping water;
- R. Bed and Breakfast establishment, provided:
1. That three or more guest sleeping rooms are provided on a daily or weekly basis for the use of six or more travelers or transients at any one time.
 2. That a minimum of one off-street parking space be provided for the first two guest sleeping rooms with an additional parking space for each additional guest sleeping room. The required off-street guest parking area may be provided within 200 feet from the bed and breakfast establishment.
 3. That signing be limited to only one non-illuminated or indirectly illuminated wooden sign not exceeding six square feet of face area.
 4. That smoke detectors be provided as per the requirements for “lodginghouses” in Ordinance 3997.
- S. Wireless communications facilities, not to include antenna support structures and their associated facilities, subject to the provisions of Chapter 17.55 (Wireless Communications Facilities).
- T. Fire Service Substation. (Ord. 5104 §2, 2021; Ord. 4952 §1, 2012; Ord. 4944 §1(e), 2011; Ord. 4902 §1(e), 2008; Ord. 4732, 2000; Ord. 4534 §6(part), §8(part), 1993; Ord. 4479A §4(part), 1991; Ord. 4292 §1(f), 1984; Ord. 4221 §3, 1982; Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

17.21.030 Lot size. In an R-4 zone, the lot size shall not be less than five thousand square feet, except that the lot area for **attached single dwelling** ~~common wall, single-family~~ lots shall **average one thousand-five hundred square feet in area.** ~~not be less than two thousand five hundred square feet per family.~~ (Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

17.21.040 Yard requirements. In an R-4 zone, each lot shall have yards of the following size unless otherwise provided for in Section 17.54.050:

- A. A front yard shall not be less than fifteen feet, **except as provided in Section 17.11.030(C), Table 1(d), Cottage Clusters.**
- B. A side yard shall not be less than six feet. ~~except~~ An exterior side yard shall not be less than fifteen feet, **except as provided in Section 17.11.030(C), Table 1(f), Cottage Clusters.**

- C. A rear yard shall not be less than twenty feet, **except as provided in Section 17.11.030(C), Table 1(c), Cottage Clusters.**
- D. Whether attached to a residence or as a separate building, a covered storage facility for a vehicle on which the main opening is toward a street shall be located not less than twenty feet to the property line bordering the street;
- E. All yards shall be increased, over the requirements of this section, one foot for each two feet of building height over thirty-five feet. (Ord. 4912 §3, 2009; Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

17.21.050 Building height. In an R-4 zone, a building shall not exceed sixty feet in height. (Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

17.21.060 Density requirements. In an R-4 zone, **the maximum density for single attached dwelling may not exceed four dwelling units per 5,000 square feet. Density maximum may not apply to any other permitted housing types, including accessory dwelling units.** ~~the lot area per family shall not be less than fifteen hundred square feet for each unit with two bedrooms or less, and not less than seventeen hundred fifty square feet for each unit with three bedrooms, and an additional five hundred square feet for each additional bedroom in excess of three in any one unit. The above requirements may be waived if the provisions of Section 17.21.020(M) are utilized.~~ (Ord. 4796 §1(b), 2003; Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

~~[17.21.070 Signs. Moved to Chapter 17.62 (Signs), by Ord. 4900 November 5, 2008.]~~

Chapter 17.22

R-5 MULTIPLE-FAMILY **HIGH-DENSITY, MULTIPLE-DWELLING** RESIDENTIAL ZONE

(as adopted per Ordinance 5098, December 8, 2020)

Sections:

- 17.22.005 Purpose.
- 17.22.010 Permitted uses.
- 17.22.020 Conditional uses.
- 17.22.030 Lot size.
- 17.22.040 Yard requirements.
- 17.22.045 Multiple Buildings on One Lot: Separation Between Buildings, Parking Areas, Walks, and Drives
- 17.22.050 Building height.
- 17.22.055 Exterior Elevations
- 17.22.060 Density requirements.
- 17.22.070 Signs.

17.22.005 Purpose. This zone is intended to provide areas for high-density residential dwelling units and other closely related uses in designated Neighborhood

Activity Centers, the downtown, and other appropriate locations within the city, consistent with comprehensive plan policies. Residential densities within this zone are typically 14 to 26 dwelling units per acre.

17.22.010 Permitted uses. In an R-5 zone, the following uses and their accessory uses are permitted:

- A. **Apartments;** Multiple-family dwelling;
- B. Condominium;
- C. Boardinghouse, lodging house, or rooming house;
- D. Child Care Home (Registered or Certified Family Child Care Home), under the following provisions:
 - 1. The structure is a residential dwelling unit.
 - 2. The provider resides at the dwelling.
 - 3. Child care is offered to not more than 16 children, including children of the provider, regardless of full-time or part-time status.
 - 4. Requirements of the Oregon Building Codes (including any Fire Life Safety Code) as amended, are met.
 - 5. Operator must have the appropriate licenses required by state regulations.
- E. Child Care Center, under the following provisions:
 - 1. The facility is a City-owned park or recreation facility, a public school, or a conforming private school.
 - 2. Operator must have the appropriate licenses required by state regulations, if applicable.
- F. Social relief facility, under the following provisions:
 - 1. The structure is maintained in its residential character; operators own, lease, or rent the property and reside therein; and the center is operated at a usage level equal to or subservient to the residential use of the structure.
 - 2. Five or fewer people unrelated to the operator, reside at the home at any one time.
 - 3. Requirements of the Oregon State Structural Specialty and Fire Life Safety Code (UBC) as amended, are met.
- G. Home occupation, subject to the provisions of Chapter 17.67;
- H. Public park and recreation area;
- I. Sewage pump station;
- J. Satellite dish provided such dish is screened from abutting or facing residential properties by a sight-obscuring fence, wall, or planting. (Ord. 5104 §2, 2021)

17.22.020 Conditional uses. In an R-5 zone, the following uses and their accessory uses may be permitted, subject to the provisions of Chapters 17.72 and 17.74:

- A. Campus living organization (fraternity, sorority, or dormitory);
- B. Cemetery;
- C. Church;
- D. Community building, including library;
- E. Child Care Center, under the following provisions:
 - 1. The facility is not a facility defined in Section 17.22.010(E)(1).

2. Operator must have the appropriate licenses required by state regulations.
- F. Day care facility, when the following situations exist:
1. The structure is not used as a residence by the operators; and/or
 2. Thirteen or more children are present at any one time;
 3. That a certificate of approval be obtained for facilities with 7 or more children as required by ORS 418.810.
- G. Nursing/convalescent home;
- H. A multiple-family **dwelling** development constructed to a higher density than normally allowed in the R-5 multiple-family **dwelling** zone provided that the following conditions are met. It is the applicant's burden to show that the conditions have been met.
1. These provisions only apply in the downtown core area, bounded by First Street, Fifth Street, Adams Street, and Johnson Street;
 2. That public and private utilities and service would not be overtaxed by the proposed development. Utilities and service include, but are not necessarily limited to, water, sanitary sewer, public schools, fire protection, police protection, electricity, natural gas, and telephone service.
 3. That the transportation impact analysis study demonstrates the road network is capable of handling the prospective increase in traffic flow, or mitigating traffic impacts to a level that does not degrade network performance below minimum acceptable levels.
 4. That off-street parking be provided at the rate of one parking stalls per unit. The Planning Commission may consider a variance to this requirement when the proposed housing structure is limited solely to elderly residents.
 5. That adjacent properties in other ownerships would not be caused to be limited to a lesser density than allowed in their base zone as a direct result of the proposal.
- I. Public or private school or college;
- J. Electrical power substation;
- K. Water reservoir;
- L. Windmill, for generation of electricity or pumping water;
- M. Wireless communications facilities, not to include antenna support structures and their associated facilities, subject to the provisions of Chapter 17.55. [As amended by Ordinance 4732]. (Ord. 5104 §2, 2021)

17.22.030 Lot size. In an R-5 zone, the lot size shall not be less than five thousand square feet.

17.22.040 Yard requirements. In an R-5 zone, each lot shall have yards of the following sizes unless otherwise provided in Section 17.54.090:

- A. A front yard shall not be less than fifteen feet
- B. A side yard shall not be less than six feet. An exterior side yard shall not be less than fifteen feet.
- C. A rear yard shall not be less than twenty feet.

- D. Whether attached to a residence or as a separate building, a covered storage facility for a vehicle on which the main opening is toward a street shall be located not less than twenty feet to the property line bordering the street;
- E. All yards shall be increased, over the requirements of this section, one foot for each two feet of building height over thirty-five feet.

17.22.045 Multiple Buildings on One Lot: Separation Between Buildings, Parking Areas, Walks, and Drives. To provide privacy, light, air, and access to the dwellings within the development, the following minimum standards shall apply:

- A. Buildings with windowed walls facing buildings with windowed walls shall maintain a 25-foot minimum separation.
- B. Buildings with windowed walls facing buildings with blank wall shall be placed a minimum of 15 feet apart.
- C. Buildings with opposing blank walls shall have a minimum 10-foot separation.
- D. Building separation shall also apply to building projections such as balconies, bay windows, and room projections.
- E. Where buildings exceed a horizontal dimension of 60 feet or exceed 30 feet in height, the minimum wall separation shall be increased. The rate of increased wall separation shall be one foot for each 15 feet of building length over 60 feet and 2 feet for each 10 feet of building over 30 feet.
- F. Driveways, parking lots, and common or public walkways shall maintain the following separation for dwelling units within 8 feet of the ground level.
 - 1. Driveways and parking lots shall be separated from windowed walls by at least 8 feet; walkways shall be separated by at least 5 feet.
 - 2. Driveways and parking lots shall be separated from living room windows by at least 10 feet; walkways shall be separated by at least 7 feet.
 - 3. Driveways and uncovered parking spaces shall be separated from doorways by at least 5 feet.

17.22.050 Building height. In an R-5 zone, a building shall not exceed sixty feet in height.

~~17.22.055 Exterior Elevations. The exterior elevations of buildings shall incorporate design features such as offsets, balconies, projections, or similar elements to preclude large expanses of uninterrupted building surfaces. In the event of a question of interpretation or application, the Director may refer the proposal to the Planning Commission.~~

17.22.060 Density requirements. In an R-5 zone, the lot area per family shall not be less than fifteen hundred square feet for each unit with two bedrooms or less, and not less than seventeen hundred fifty square feet for each unit with three bedrooms, and an additional five hundred square feet for each additional bedroom in excess of three in any one unit. The above requirements may be waived if the provisions of Section 17.22.020(I) are utilized.

17.22.070 Signs. In an R-5 zone, the following types of signs are permitted:

- A. A sign not to exceed six square feet in area identifying the owner or occupant of the property on which it is located. Such sign may be indirectly illuminated;

- B. A nonilluminated, temporary sign not to exceed six square feet in area concerning the lease, rental, or sale of a property;
- C. A nonilluminated sign not to exceed forty-eight square feet in area identifying a subdivision at the location of the sign;
- D. Signs may be located in a required front yard or a required side yard adjacent to a street but shall not be located in or extend over a street or public right-of-way;
- E. Political campaign signs are permitted as follows;
 - 1. Campaign signs shall not be erected earlier than six weeks prior to an election for which they were made.
 - 2. Permitted signs shall not exceed six square feet in area.
 - 3. Such signs shall be confined within private property and removed within fourteen days after the election for which they were made.
 - 4. Prior to the erection of any political campaign sign, the political treasurer on behalf of the candidate or issue shall post a bond in the form approved by the City Attorney and filed with the Planning Director in the amount of fifty dollars (\$50.00) guaranteeing removal of such signs within fourteen days after the election for which they are used.
 - 5. The City shall remove signs posted in the public right-of-way and those signs not removed from private property fourteen days following the election. The costs of removal shall be deducted from the bond posted; the bond or remaining portion thereof shall be refunded upon compliance with this section.
- F. A nonilluminated or indirectly illuminated sign not to exceed twenty-four square feet identifying a "model home," subject to the procedures outlined in Section 17.54.100.
- G. A non-illuminated free-standing sign not to exceed 15 feet in height, and 36 square feet in area may be permitted to identify a public school at the location of the sign. In lieu of such signage, a non-illuminated wall mounted sign not to exceed 48 square feet in area, or a non-illuminated or indirectly illuminated monument sign not to exceed six feet in height, and 48 square feet in area, is permitted. A reader board may be integral to the sign. Such signs shall be located in compliance with the setbacks applicable to the residential zone in which they are located.

Chapter 17.24

O-R OFFICE/RESIDENTIAL ZONE

17.24.010 Purpose. The purpose and intent of this zone is at least two-fold. One, it may be used to provide a transition and buffer area between commercially zoned and residentially zoned areas; and two, it is intended to provide an incentive for the preservation of old and historical structures. It may also serve as a buffer zone along major arterials between the roadway and the interior residential areas. Therefore, the requirements set forth herein should be interpreted in relationship to the protection of

abutting residential areas. Implementation and interpretation should take into consideration those factors conducive to a healthy place to live, and improvements should be in scale and relationship to surrounding property uses. (Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

17.24.020 Permitted buildings and uses. In an office/residential district, the following types of buildings and uses and their accessory uses are permitted as hereinafter specifically provided for by this section, subject to the general provisions and exceptions set forth in this chapter:

- A. Subject to the requirements of the R-4 zone, the following residential uses and their accessory uses are permitted:
 - 1. **Tiny Houses**
 - 2. Single-family **detached** dwelling.
 - 3. **Townhouses** Common wall, single-family dwelling.
 - 4. ~~Two-family dwelling (duplex).~~ **Plexes: Duplex Building; Triplex Building; Quadplex Building**
 - 5. **Apartments**; Multiple-family dwelling.
 - 6. Condominium.
 - 7. Boarding, lodging or rooming house;
 - 8. **Cottage Clusters**
 - 9. **Single Room Occupancy – Small Housing**
 - 10. **Single Room Occupancy – Large Housing**
- B. Antique/art galleries and associated sales;
- C. Barbershop;
- D. Beauty shop;
- E. Child Care Home (Registered or Certified Family Child Care Home), under the following provisions:
 - 1. The structure is a residential dwelling unit.
 - 2. The provider resides at the dwelling.
 - 3. Child care is offered to not more than 16 children, including children of the provider, regardless of full-time or part-time status.
 - 4. Requirements of the Oregon Building Codes (including any Fire Life Safety Code) as amended, are met.
 - 5. Operator must have the appropriate licenses required by state regulations.
- F. Clinic;
- G. Day Care Facility (Adult), under the following provisions:
 - 1. The structure is maintained in its residential character; operators own, lease, or rent the property and reside therein; and the center is operated at a usage level equal to or subservient to the residential use of the structure.
 - 2. Twelve or fewer people are present at any one time at the center.
 - 3. Requirements of the Oregon Building Codes (including any Fire Life Safety Code) as amended, are met.
 - 4. Operator must have the appropriate licenses required by state regulations.
- H. Child Care Center, under the following provisions:

1. The facility is a City-owned park or recreation facility, a public school, or a conforming private school.
 2. Operator must have the appropriate licenses required by state regulations, if applicable.
- I. Social relief facility, under the following provisions:
 1. The structure is maintained in its residential character; operators own, lease, or rent the property and reside therein; and the center is operated at a usage level equal to or subservient to the residential use of the structure.
 2. Five or less people unrelated to the operator, reside at the home at any one time.
 3. Requirements of the Oregon State Structural and Fire Life Safety Code (UBC) as amended.
 - I. Home occupations;
 - J. Library or museum;
 - K. Offices: all professional, administrative and business offices, provided that retail sales are not allowed except for those sales incidental to the principal occupation conducted therein;
 - L. Public and semi-public buildings essential to the physical and economic welfare of the area, such as fire stations, substations, and pump stations, provided that no stockpiling or storage of materials shall be allowed;
 - M. Public and private parking lots;
 - N. Dressmaking or Tailor shop;
 - O. Studios for the following:
 1. Artists.
 2. Interior decorator.
 3. Photographer;
 - P. Secretarial service;
 - Q. Telephone answering service;
 - R. Resident occupied short term rentals, subject to the provisions of Section 17.12.010(N), except that subsection 17.12.010(N)(2) shall not apply.
 - S. Satellite dish, provided such dish is screened from abutting or facing residential properties by a sight obscuring fence, wall, or planting.
 - T. Wireless communications facilities, not to include antenna support structures and their associated facilities, subject to the provisions of Chapter 17.55.
 - U. Short term rentals, subject to the provisions of Section 17.12.010(O). (Ord. 5104 §2, 2021; Ord. 5047 §2, 2018, Ord. 4984 §1, 2014; Ord. 4732, 2000; Ord. 4534 §5(part), §7(part), 1993; Ord. 4479A §4(part), 1991; Ord. 4477 §1(part), 1990; Ord. 4292 §1(g), 1984; Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

17.24.030 Conditional uses permitted. In an office/residential zone, the following uses and their accessory uses are permitted subject to the provisions of Chapter 17.72:

- A. Child Care Center, under the following provisions:
 1. The facility is not a facility defined in Section 17.24.010(H)(1).
 2. Operator must have the appropriate licenses required by state regulations.

- B. Church;
- C. Day Care Facility (Adult), under the following provisions
 - 1. The structure is not a residence.
 - 2. Requirements of the Oregon Building Codes (including any Fire Life Safety Code) as amended, are met.
 - 3. Operator must have the appropriate licenses required by state regulations.
- D. Social relief facility, when the following situations exist:
 - 1. The structure is not used as a residence by the operators, and/or
 - 2. Six or more people unrelated to the operator reside at the home at any one time.
- E. Nursing/convalescent home;
- F. Windmill, for generation of electricity or pumping water;
- G. Bed and breakfast establishments, subject to the provisions of Section 17.21.020(Q). (Ord. 5104 §2, 2021; Ord. 4902 §1(f), 2008; Ord. 4534 §6(part), §8(part), 1993; Ord. 4479A §4(part), 1991; Ord. 4292 §2(h), 1984; Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

17.24.040 Limitations on uses. The following conditions and limitations shall apply to all uses locating in the office/residential zone:

- A. Where a property in the office/residential zone abuts a property in a residential zone, a six-foot fence of a sight-obscuring material shall be placed along the affected property line. The fence shall be of such material and design so as not to detract from adjacent residences and shall be free of advertising. Responsibility for placement of the fence falls with the office/residential property when being changed from a residential use;
- B. Where a property in an office/residential zone abuts another property in an office/residential zone which is in residential use, a sight-obscuring fence or wall, whether permanent or of living material, shall be placed along the affected property line. The responsibility for placement of the fence or wall falls with the property requesting development approval;
- C. All parking areas and approach aisles shall be surfaced with asphaltic cement concrete or Portland cement concrete. Driving aisles, maneuvering aisles, and required parking spaces shall be clearly marked;
- D. No use of any structure in the office/residential zone shall normally occur between the hours of 8 p.m. to 7 a.m., save and except the residential uses permitted;
- E. No use creating a noise, vibration, odor, or other similar nuisances prohibited by City ordinances shall be permitted;
- F. A minimum of seven percent of the site shall be placed in landscaping. Landscape plans must be approved by the Landscape Review Committee prior to any building permits or occupancy permits being issued. This condition applies to all uses regardless of whether or not the outside dimensions of the structure are being changed, save and except this condition does not apply to single-family **detached or attached**, ~~common wall single-family~~, or duplex residential uses;
- G. All outside lighting shall be directed away from residential zones and from residential uses in the office/residential zone;

- H. All business, service, repair, processing, storage, or merchandise displays shall be conducted wholly within an enclosed building except for the following:
 - 1. Off-street parking or loading.
 - 2. Temporary display and sales of merchandise, provided it is under cover of a projecting roof and does not interfere with pedestrian or automobile circulation.
- I. Items produced or wares and merchandise handled shall be limited to those sold at retail on the premises, except that home occupations are exempt from this limitation;
- J. Access points to and from the property must be approved by the City Engineer and the Planning Director;
- K. A plan showing the locations of all existing and proposed buildings and structures, parking areas and access points, lighting, signs, landscaping, and other such data as may have a bearing on the adjacent properties must be submitted to and approved by the Planning Director prior to issuance of any building permits and prior to any new use occupying an existing structure. The Planning Director shall approve said plan upon finding that all conditions and limitations of this title are met. Construction shall be in conformance with the approved plan. The Planning Director's decision may be appealed to the Planning Commission. Residential uses are exempt from this requirement. (Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

[17.24.050 Signs. Moved to Chapter 17.62 (Signs), by Ord. 4900 November 5, 2008.]

17.24.060 Yard requirements. For new structures and additions in an office/residential zone, yards shall be maintained as follows (these setbacks shall apply only to new construction):

- A. There shall be a front yard of not less than fifteen feet, **except as provided in Section 17.11.030(C), Table 1(d), Cottage Clusters**.
- B. Side yards shall be not less than seven and one-half feet when adjacent to a residential zone; when adjacent to an office/residential zone, no side yard shall be required. ~~except that~~ Residential uses are subject to the side yard setback requirements of the R-4 zone, **except as provided in Section 17.11.030(C), Table 1(e), Cottage Clusters**;
- C. Exterior side yards shall be a minimum of fifteen feet, **except as provided in Section 17.11.030(C), Table 1(d), Cottage Clusters**.
- D. There shall be a rear yard of ~~not~~ **no** less than twenty feet when adjacent to a residential zone; when adjacent to a commercial zone or other property in this zone, then no rear yard setback shall be required. ~~except that~~ Residential uses are subject to the rear yard setback requirements of the R-4 zone, **except as provided in Section 17.11.030(C), Table 1(f), Cottage Clusters**.. (Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

17.24.070 Height of buildings. In an office/residential zone, a building shall not exceed a height of thirty-five feet. (Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

17.24.080 Parking requirements. Parking shall be provided in accordance with Chapter **17.11 (housing) and** 17.60 of this ordinance. (Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

17.24.090 Parking variances.

- A. Variance to the parking requirements of Chapter 17.60 (Off-Street Parking and Loading) of this ordinance may be granted in the circumstance where an existing structure is being converted to a different use or occupancy subject to the following limitations:
1. At no time may a variance be granted for more than fifty percent of the required parking spaces.
 2. New structures may not be granted variances under this section.
 3. Variances approved under this section are not transferable and are valid only for the specific occupancy or use for which they are granted. Any new use desiring to locate in a structure or on property for which a variance has been granted regardless if such new use is in the same land use category as was the old use must either provide the required parking or receive variance approval.
- B. In entertaining a variance request, the Planning Commission may consider the following factors:
1. Is the variance necessary to preserve an existing structure and/or existing landscaping?
 2. Would the granting of a variance have an adverse impact on neighboring properties?
 3. Would the granting of the variance result in extensive street parking?
 4. Is there available public parking nearby?
 5. What is the expected traffic generation of the proposed use? Is it less than the required parking would indicate? (Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

Chapter 17.33

C-3 GENERAL COMMERCIAL ZONE

17.33.010 Permitted uses. In a C-3 zone, the following uses and their accessory uses are permitted:

1. All uses and conditional uses permitted in the C-1 and C-2 zones, except those listed in Section 17.33.020;
2. Existing lawfully established single-family **detached** dwellings built and occupied prior to November 25, 2021.
 - a. Lots for these uses will be limited to their current sizes and cannot be expanded.
 - b. If the single-family **detached** dwelling is not occupied for more than a year as a residential use, it is no longer considered a permitted use.
 - c. Short-term rentals and resident-occupied short-term rentals will be considered a continued residential use for this code provision.
3. Existing lawfully established two-family **unit** dwellings built and occupied prior to November 25, 2021;

- a. Lots for these uses will be limited to their current sizes and cannot be expanded.
 - b. If the two-family **unit** dwelling is not occupied for more than a year as a two-family **unit** dwelling, it is no longer considered a permitted use.
4. A new or existing lawfully established accessory dwelling unit which is accessory to, and on the same lot as, an existing lawfully established single-family dwelling built and occupied prior to November 25, 2021, subject to the following standards:
- a. The accessory dwelling unit may be established by:
 - 1. Conversion of an attic, basement, or garage or any other portion of the primary dwelling;
 - 2. Adding floor area to the primary dwelling, including a second story; or
 - 3. Construction of a detached accessory dwelling unit on a lot with a primary single-family dwelling.

The existing lawfully-established single-family dwelling shall remain designated as the primary dwelling.

- b. The square footage of the accessory dwelling shall not exceed 50 percent of the primary dwelling exclusive of the garage, or 1,000 square feet, whichever is less. The minimum area shall be as determined by the State of Oregon Building Codes Division.
- c. The building coverage of a detached ADU may not be larger than the building coverage of the primary dwelling.
- d. The accessory dwelling shall meet all applicable standards for this zone including, but not limited to, setbacks, height, and building codes in effect at the time of construction. The maximum height allowed for a detached ADU is the lesser of 25 feet or the height of the primary dwelling.
- e. The structure's appearance, including siding, roofing, materials, and color shall coincide with that used on the primary dwelling unit, including roof pitch, eaves, window fenestration patterns, etc.
- f. Not more than one accessory dwelling unit shall be allowed per lot or parcel.
- g. The accessory dwelling unit shall contain a kitchen, bathroom, living, and sleeping area that completely independent from the primary dwelling.
- h. Manufactured homes, recreational vehicles, motor vehicles, travel trailers and all other forms of towable or manufactured structures, not to include modular structures, shall not be used as an accessory dwelling unit.
- i. ADUs are exempt from the residential density standards of this code.
- j. Occupancy and use standards for an ADU shall be the same as those applicable to a primary dwelling on same site.
- k. That a legally non-conforming accessory structure which is accessory to an existing lawfully established single-family dwelling may be converted to an accessory dwelling unit in accordance with the requirements of Chapter 17.63 (Nonconforming Uses).

5. Condominiums subject to the provisions of the R-4 zone, except that within the City Center Housing Overlay Zone designated in Chapter 17.66, density limitations of the R-4 zone shall not apply, and any special development standards of the Overlay Zone shall supersede those of the R-4 zone.;
6. **Apartments**, Multiple-family dwelling subject to the provisions of the R-4 zone, except that within the City Center Housing Overlay Zone designated in Chapter 17.66, density limitations of the R-4 zone shall not apply, and any special development standards of the Overlay Zone shall supersede those of the R-4 zone.;
7. Upper-story residential;
8. **Single-Room Occupancy – Large Housing**

[...]

17.33.020 Conditional uses. In a C-3 zone, the following uses and their accessory uses may be permitted subject to the provisions of Chapters 17.72 and 17.74:

- A. Social relief facility, when the following situations exist:
 1. The structure is not used as a residence by the operators, and/or
 2. Six or more people unrelated to the operator reside at the home at any one time.
- B. Public or private school;
- C. Public transportation passenger terminal;
- D. *Outside of the City Center Housing Overlay Zone*, a multiple-family dwelling or condominium constructed to a higher density than normally allowed in the R-4 multiple-family **dwelling** zone provided that the following conditions are met. It is the applicant's burden to show that the conditions have been met:
 1. That public and private utilities and services would not be overtaxed by the proposed development. Utilities and service include, but are not necessarily limited to, water, sanitary sewer, storm sewer, public schools, fire protection, police protection, electricity, natural gas, and telephone service.
 2. That the transportation network in the immediate area, as well as in the adjoining areas, is capable of handling the prospective increase in traffic flow.
 3. That off-street parking be provided at the rate of one and one-half parking stalls per unit. A variance to this requirement may be considered by the Planning Commission when the proposed housing structure is limited solely to elderly residents.
 4. That adjacent properties in other ownerships would not be caused to be limited to a lesser density than allowed in the zone as a direct result of the proposal using a "share" of that adjacent property's public or private utilities or services.
 5. That the provisions of this section may be utilized only in the core area, defined as that area bounded by First Street, Fifth Street, Adams Street and Johnson Street;

- E. Cable television ground receiving station;
- F. Utility transmission station;
- G. Water reservoir;
- H. Windmill, for generation of electricity or pumping water. (Ord. 5105 §2, 2021; Ord. 5104 §2, 2021; Ord. 4479A §4(part), 1991; Ord. 4279 §1(D), 1984; Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

17.33.030 Yard requirements. Except as provided in Section 17.54.050, and “A” and “B” below, there shall be no required yards in a C-3 zone:

- A. Side yard shall not be less than twenty feet when adjacent to a residential zone;
- B. Rear yard shall not be less than twenty feet when adjacent to a residential zone. (Ord. 4912 §3, 2009; Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

17.33.040 Building height. In a C-3 zone, buildings shall not exceed a height of eighty feet. (Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

17.33.050 Use limitations. In a C-3 zone, outside storage abutting or facing a residential zone shall be enclosed by a sight obscuring fence. The fence shall obstruct the storage from view on the sides of the property abutting or facing a residential zone. The fence shall be of such material and design as will not detract from adjacent residences, shall be free of advertising, and shall be constructed according to plans submitted by the owner or authorized agent and approved by the Planning Director. Outside storage in a required yard shall not exceed ten feet in height. (Ord. 4477 §3, 1990).

Chapter 17.45

AH AGRICULTURAL HOLDING ZONE

17.45.010 Purpose. The purpose and intent of the agricultural holding zone is to provide for the continued practice of agriculture in areas where municipal sewer and water service exists or where an adopted city policy affecting the expansion of such services exists.

Further, uses allowed in this zone are to be consistent with proposals and policies contained in an adopted comprehensive plan for the city. The AH zone does not provide for an automatic farm use valuation for farms under the provisions of Oregon Revised Statutes, Chapter 308. However, the use of this zone shall not be construed as restricting in any manner the granting of deferments under the provisions of Oregon Revised Statutes, Section 308.375. (Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

17.45.020 Interpretation. Where the conditions imposed by any provision of this chapter are less restrictive than comparable conditions imposed by any other provisions

of this chapter or of any other ordinance, resolution, or regulation, the provisions which are more restrictive shall govern. (Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

17.45.030 Permitted uses. In the AH zone, the following uses and their accessory uses are permitted:

- A. Farming (definition as per ORS 215.203(a), (b), and (c), exempting a commercial feed lot operation of any kind);
- B. Single-family **detached** dwelling when comprehensive plan map designation is “residential”;
- C. Sewage pump station. (Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

17.45.040 Conditional uses. In the AH zone, the following uses and their accessory uses may be permitted, subject to the provisions of Chapters 17.72 and 17.74:

- A. Public service or public utility buildings and structures, with no interior storage of any kind and no garages for the repair and/or maintenance of equipment;
- B. Park, golf course and other open-land recreational uses, but excluding commercial amusement uses such as golf driving range, race track or amusement park or other similar uses;
- C. Public safety facility;
- D. Home occupation;
- E. Electrical power substation;
- F. Water reservoir;
- G. Wireless communications facilities, not to include antenna support structures and their associated facilities, subject to the provisions of Chapter 17.55 (Wireless Communications Facilities). (Ord. 4732, 2000; Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

17.45.050 Lot size. In an AH zone, a lot that is less than ten acres may not be created. (Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

17.45.060 Yard requirements. In an AH zone, the minimum yard requirements shall be as follows:

- A. Front yards shall be a minimum of thirty feet, except as otherwise required by planned development provisions;
- B. Side yards:
 1. Single-family **detached** dwellings, ten feet,
 2. Public utility structures, five feet,
 3. Barns, fifty feet; all other structures, twenty-five feet;
- C. Rear yards:
 - E. Single-family **detached** dwellings, twenty feet,
 - F. Public utility structures, five feet,
 - G. Barns, fifty feet; all other structures, twenty-five feet. (Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

17.45.070 Building height. Building height in an AH zone shall be as follows:

- A. Twenty-five percent of lot depth or sixty feet maximum;
- B. Single-family **detached** dwellings, thirty-five feet maximum. (Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

[17.45.080 Signs. Moved to Chapter 17.62 (Signs), by Ord. 4900 November 5, 2008.]

Chapter 17.53

LAND DIVISION STANDARDS (as adopted Ord. 4905, Jan. 27, 2009)

[...]

Subdivision

17.53.070 Submission of Tentative Subdivision Plan. An application to subdivide land shall be submitted in accordance with the application submittal procedures as stated in Sections 17.72.020 through 17.72.070 and shall be reviewed and approved under the following procedure: A subdivider shall prepare a tentative plan together with improvement plans and other supplementary material required to indicate his general program and objectives, and shall submit 25 (twenty-five) copies of the tentative plan and supplementary data to the Planning Director's office. The tentative plan need not be a finished drawing, but shall show pertinent information to scale in order that the review body may properly review the proposed development. Additionally, condominiums shall be processed under the provisions of ORS 100. All subdivision developments shall comply with the requirements of the Oregon Fire Code.

- A. Scale. The tentative plan shall be drawn on a sheet 18 (eighteen) by 24 (twenty-four) inches in size at a scale of one inch equals 50 (fifty) feet, or a reasonable engineer's scale for the sheet size. A smaller sheet size may be used provided that all required information is legible and is approved for use by the Planning Department.
- B. General Information. The following general information shall be shown on the tentative plan:
 1. Proposed name of subdivision. No plan of a subdivision shall be approved which bears a name which is the same as, similar to, or pronounced the same as a word in the name of any other subdivision in the same county, except for the words "town," "city," "place," "court," "addition," or similar words, unless the land platted is contiguous to and platted by the same party that platted the subdivision bearing that name or unless the party files and records the consent of the party that platted the subdivision bearing that name. All plats must continue the block numbers of the contiguous subdivision plat of the same name last filed; Date, north arrow, and scale of drawing;
 2. Appropriate identification clearly stating the plan is a tentative plan;
 3. Location of the subdivision sufficient to define the location and boundaries of the proposed tract;
 4. Names and addresses of the owner(s), subdivider, engineer, and surveyor;
 5. In the event the subdivider plans to utilize the provisions of ORS 92.060 as pertains to "Delayed Monumentation," he shall notify the County

- Surveyor and Planning Commission and report said fact on the tentative plan;
6. A subdivision guarantee report issued by a title insurance company in the name of the owner(s) of the land, showing all parties whose consent is necessary and their interest in the premises and all encumbrances, covenants, and other restrictions pertaining to the subject property.
- C. Existing Conditions. The following existing conditions shall be shown on the tentative plan:
1. The location, widths, and names of both opened and unopened streets within or adjacent to the tract, together with easements and other important features, such as section lines, city boundary lines, and monuments;
 2. The direction of slope by means of arrows or other suitable symbol;
 3. The location of at least one temporary bench mark, on established City datum, within 200 feet of the plat boundaries;
 4. The location and direction of water courses, and the location of areas subject to flooding on a probability frequency one (1) percent or greater;
 5. Natural features such as rock outcroppings, marshes, wooded areas, and isolated preservable trees. Areas noted in the Comprehensive Plan, Volume I Background Element, Chapter VII, The Parks and Recreation and Open Space Master Plan (1999), as potential open space lands should be identified;
 6. Existing uses of the property, including location of existing structures to remain on the property after platting.
- D. Proposed Plan of Subdivision. The following information shall be included on the tentative plan:
1. The location, width, names, approximate grades, and radii of curves of streets. The relationship of streets to any existing streets and to any projected streets as shown on the McMinnville Comprehensive Plan Map 1980, as amended, or as identified in the McMinnville Comprehensive Plan text and Transportation System Plan, or as may be suggested by the Planning Commission in order to assure adequate traffic circulation;
 2. The location, width, and purpose of easements;
 3. The location and approximate dimensions of lots and the proposed lot and block numbers;
 4. Sites, if any, allocated for purposes other than single-family **detached** dwellings, such as multiple-family dwellings, parkland, open space common areas, etc.
 5. Access. As required by the Oregon Fire Code, a minimum of two access points is required when more than 30 (thirty) ~~one-family or two-family~~ **detached** dwellings or one-hundred multi-family **dwelling** units are being served.
- E. Partial Development. If the tentative subdivision plan pertains to only part of the tract owned or controlled by the subdivider, the requirements of Section 17.53.090 (future development plan) shall apply.
- F. Explanatory Information with Tentative Subdivision Plan. The following information shall be required by the Planning Commission or staff and if it

cannot be shown practicably on the tentative plan, it shall be submitted in separate statements accompanying the tentative plan:

1. A vicinity plan, showing existing subdivisions and unsubdivided land ownerships adjacent to the proposed subdivision, and showing how proposed streets and utilities may be extended to connect to existing streets and utilities;
 2. Proposed deed restrictions, if any, in outline form;
 3. The location of existing sewers, water mains, culverts, drain pipes, and electric lines and elevations of sewers at points of probable connections within the subdivision and in the adjoining streets and property;
 4. Special studies of areas which appear to be hazardous due to local conditions such as inundation or slippage;
 5. Contour lines related to an established bench mark on city datum and having minimum intervals as follows:
 - a. For slopes of less than five (5) percent: show the direction of slope by means of arrows or other suitable symbol together with not less than four (4) spot elevations per acre, evenly distributed;
 - b. For slopes of five (5) percent to 15 (fifteen) percent: two (2) feet;
 - c. For slopes of 15 (fifteen) percent to 20 (twenty) percent: five (5) feet;
 - d. For slopes of over 20 (twenty) percent: 20 (twenty) feet.
- G. Supplemental Plans with Tentative Subdivision Plans. Any of the following plans may be required by the Planning Commission or staff to supplement the plan of subdivision:
1. Approximate center line and right-of-way profiles with extensions for a reasonable distance beyond the limits of the proposed subdivision showing the finished grade of the streets and the nature and extent of street construction. Where any cut or fill will exceed three (3) feet in depth, a cross section of the road shall also be submitted.
 2. Proposals for storm water drainage and flood control, including profiles of proposed drainage ways.
 3. If lot areas are to be graded, a plan showing the nature of cuts and fills exceeding five (5) feet, and information on the character of the soil. (Ord. 4920, §4, 2010)

[...]

17.53.075 Submission of Final Subdivision Plat. Within 12 (twelve) months after approval of the tentative plan, the subdivider shall prepare a final plat in conformance with the tentative plan as approved. The subdivider shall submit the original drawing and two exact copies and any supplementary information to the City Engineer. Approval of the tentative subdivision plan shall be valid for a one-year period from the effective date of approval. Upon written request, the Director may approve a one-year extension of the decision. Additional extensions shall require the subdivider to resubmit the tentative plan to the Planning Commission and make any revisions considered necessary to meet changed conditions.

- A. Information on Final Plat. In addition to that specified by ORS 92.050 and ORS 209.250, the following information shall be shown on the final plat and/or complied with:
1. The date, scale, north point, legend, controlling topography, such as bluffs, creeks, and other bodies of water, and existing cultural features, such as highways and railroads;
 2. Legal description of the tract boundaries;
 3. Name of the owner, subdivider, and surveyor;
 4. Reference points of existing surveys identified, related to the plat by distances and bearings, and referenced to a field book or map as follows:
 - a. Stakes, monuments, or other evidence found on the ground and used to determine the boundaries of the subdivision;
 - b. Adjoining lot corners of adjoining subdivisions;
 - c. Oregon Coordinate System
 - d. Error of closure throughout the subdivision shall not exceed one foot in 10,000 feet;
 - e. Measurement error shall not exceed one tenth of a foot between monuments, or one ten-thousandth of the distance shown on the subdivision plat, whichever is greater.
 - f. Other monuments found or established in making the survey of the subdivision or required to be installed by provisions of this ordinance.
 5. The exact location, deflection angle, and width of streets and easements intercepting the boundary of the tract. The width of the portion of streets being dedicated and the width of existing right-of-way. For streets on curvature, curve data shall be based on the street center line. In addition to showing bearings in degrees, minutes, and seconds of a degree and distances in feet and hundredths of a foot, the following curve information shall be shown on the subdivision either on the face of the map or in a separate table:
 - a. Arc length;
 - b. Chord length;
 - c. Chord bearing;
 - d. Radius; and
 - e. Central angle.
 6. Tract, block, and lot boundary lines and street rights-of-way and center lines, with dimensions, bearing and deflection angles, radii, arcs, points of curvature, and tangent bearings. Flood plain and normal high water lines for any creek or other body of water. Tract boundaries and street bearings shall be shown to the nearest 30 (thirty) seconds with basis of bearings. Distances shall be shown to the nearest 0.01 feet. No ditto marks shall be used;
 7. Easements denoted by fine dotted lines, clearly identified and, if already of record, their recorded reference. If an easement of record is not definitely located, a statement of the easement shall be given. The width of the easement, its length and bearing, and sufficient ties to locate the easement with respect to the subdivision shall be shown. If the easement is being dedicated by the plat, it shall be properly referenced in the owner's certificates of dedication;

8. Lot numbers beginning with the number "1" and numbered consecutively;
9. Area of each lot shall be shown on the face of the plat, with acreage calculated to 1/100 acre or square footage to nearest square foot, when area is less than one acre;
10. Identification of land parcels to be dedicated for any purpose, public or private, so as to be distinguishable from lots intended for sale;
11. The following declarations which may be combined where appropriate;
 - a. A declaration signed and acknowledged by all parties having any recorded title or interest in the land, consenting to the preparation and recording of the plat;
 - b. A declaration signed and acknowledged as above, dedicating all parcels of land shown on the final map intended for public use except those parcels which are intended for the exclusive use of the lot owners in the subdivision, their licenses, visitors, **and** tenants, ~~and servants~~;
 - c. A declaration with the seal of the surveyor responsible for the survey and final map;
 - d. Other declarations, deed restrictions, or covenants as now or hereafter may be required by law.
12. A statement of water right, if appropriate, and, if a water right is appurtenant, a copy of the acknowledgment from the Water Resources Department must be attached before the County recording officer may accept the plat of the subdivision for recording (ORS 92.120).

[...]

Approval of Streets and Ways

17.53.100 Creation of Streets.

- A. The creation of streets shall be in conformance with requirements for a subdivision except, however, the City Council shall recommend the creation of a street to be established by deed if any of the following conditions exist:
 1. The establishment of the street is initiated by the City Council and is declared essential for the purpose of general traffic circulation, and the partitioning of land is an incidental effect rather than the primary objective of the street;
 2. The tract in which the street is to be dedicated is an isolated ownership of one acre or less;
 3. The tract in which the street is to be dedicated is an isolated ownership of such size and condition as to make it impractical to develop more than three (3) lots.
- B. In those cases where approval of a street is to be established by deed, a copy of the proposed deed shall be submitted to the City Engineer at least 15 (fifteen) days prior to the Planning Commission meeting at which consideration is desired. The deed and such information as may be

submitted shall be reviewed by the Planning Commission and, if not in conflict with the standards of Sections 17.53.060 to 17.53.079 and Section 17.53.101 of these regulations, shall be recommended for approval with such conditions as are necessary to preserve these standards.

- C. An easement providing access to property and which is created to allow the partitioning of land for the purpose of lease, transfer of ownership, or building development, whether immediate or future, shall be in the form of a street in a subdivision, except that a private easement to be established by deed without full compliance with these regulations may be approved by the Planning Director under the following conditions:
1. If it is the only reasonable method by which the rear portion of a lot being unusually deep or having an unusual configuration that is large enough to warrant partitioning into two more new parcels, i.e., a total of not more than three (3) parcels including the original may then exist, that may be provided with access and said access shall be not less than 15 (fifteen) feet in width and shall have a hard surfaced drive of 10 (ten) feet width minimum;
 2. The Planning Director shall require the applicant to provide for the improvement and maintenance of said access way, and to file an easement for said access way which includes the right to passage and the installation of utilities. Such requirements shall be submitted to and approved by the City Attorney.
 3. Access easements shall be the preferred form of providing access to the rear lots created by partition if the alternative is the creation of a flag lot.
- D. A private way/drive which is created to allow the subdivision of land shall be in the form of common ownership, provide on-street parking or parking bays to replace that displaced by limited parking area, be approved by the Planning Commission in the form of a planned development, and meet the following conditions:
1. If it is the only reasonable method by which the rear portion of the existing parcel can be provided with access; or because of unusual topography, vegetative cover (preservable trees), lot size, or shape, it is the most feasible way to develop the parcel.
 2. The Planning Commission shall require the subdivider to provide the improvements to standards as set forth in Section 17.53.101(P) and maintenance of said private way/drive; to establish binding conditions upon each parcel taking access over said private way/drive, not limited to only the required maintenance, but to include adherence to the limited parking restrictions imposed by the individual planned development ordinance; and to provide necessary easements for the installation, operation, and maintenance of public utilities.
 3. Provisions must be made to assure that the private streets will be properly maintained over time and that new purchasers of homes or lots within the subdivision are notified, prior to purchase, that the street is private and that maintenance fees may be charged. Such provisions must meet with the approval of the Planning Commission.

4. Street sign posts on private streets must contain a sign stating that the street is private. The design and location of such signs must be approved by the City Engineer.
5. Gates are prohibited within or across public rights-of-way. Gates are prohibited across private streets that serve single-family **detached** residential development of four or more lots or parcels, multi-family **dwelling** housing complexes, manufactured home parks, or commercial or industrial subdivisions (Amended 8/14/07 by Ordinance No. 4879).

17.53.101 Streets.

- A. General. The location, width, and grade of streets shall be considered in their relation to existing and planned streets, to topographical conditions, to public convenience and safety, and to the proposed use of the land to be served by the streets. Where location is not shown in a comprehensive plan, the arrangement of streets in a subdivision shall:
1. Provide for the continuation or appropriate projection of existing principal streets in surrounding areas; or
 2. Conform to a plan for the neighborhood approved or adopted by the Planning Commission to meet a particular situation where topographical or other conditions make continuance or conformance to existing streets impractical; or
 3. Maximize potential for unobstructed solar access to all lots or parcels. Streets providing direct access to abutting lots shall be laid out to run in a generally east-west direction to the maximum extent feasible, within the limitations of existing topography, the configuration of the site, predesigned future street locations, existing street patterns of adjacent development, and the preservation of significant natural features. The east-west orientation of streets shall be integrated into the design.

[...]

- U. Gates. Gates are prohibited within or across public rights-of-way. Gates are also prohibited across private streets that serve single-family **detached** residential development of four or more lots or parcels, multi-family **dwelling** housing complexes, manufactured home parks, or commercial or industrial subdivisions. The City may permit gates of limited duration for the purpose of facilitating public events, construction of public infrastructure, or other similar activities having a public interest or benefit at the discretion of the City Manager. (Ord. 5023, §2, 2017; Ord. 4922, §4B, 2010; Amended 8/14/07 by Ordinance No. 4879.)

[...]

17.53.105 Lots.

- A. Size and shape. Lot size, width, shape, and orientation shall be appropriate for the location of the subdivision and for the type of use contemplated. All lots in a subdivision shall be buildable.
 - 1. Lot size shall conform to the zoning requirement of the area. Depth and width of properties reserved or laid out for commercial and industrial purposes shall be adequate to provide for the off-street parking and service facilities required by the type of use contemplated. The depth of lot shall not ordinarily exceed two times the average width.
- B. Access. Each lot shall abut upon a street other than an alley for a width of at least 25 (twenty-five) feet or shall abut an access easement which in turn abuts a street for at least 15 (fifteen) feet if approved and created under the provisions of 17.53.100(C). Direct access onto a major collector or arterial street designated on the McMinnville Comprehensive Plan Map shall be avoided for all lots subdivided for single-family **detached**, common wall, or duplex residential use, unless no other access point is practical.
- C. Through lots. Through lots shall be avoided except where they are essential to provide separation of residential development from major traffic arteries or adjacent nonresidential activities, or to overcome specific disadvantages of topography and orientation. A planting screen easement at least 10 (ten) feet wide, and across which there shall be no right of access, may be required along the line of lots abutting such a traffic artery or other incompatible use.
- D. Lot side lines. The side lines of lots, as far as practicable, shall run at right angles to the street upon which the lots face.
- E. Flag lots. The creation of flag lots shall be discouraged and allowed only when it is the only reasonable method of providing access to the rear of a lot which is large enough to warrant partitioning or subdividing.

[...]

Chapter 17.54

GENERAL REGULATIONS

(as amended Ord. 4912, March 24, 2009)

[...]

17.54.140 Keeping of Animals in a Residential Zone. It is not permissible to keep exotic, dangerous or wild animals as domestic pets. This includes any mammal, fowl, fish or any other species not commonly considered as pets or commonly raised for food or agricultural purposes which would be a possible threat to the life or health of humans as determined by the Yamhill County Animal Control Officer and the Planning Director. The slaughtering of animals is not permissible in residential zones.

- A. The keeping of the following animals is permitted in residential zones:
 - 1. Domestic dogs.
 - 2. Domestic cats.
 - 3. Gerbils, hamsters, rats or similar rodents kept in cages.

4. Non carnivorous fish kept in tanks and ponds.
 5. Non venomous reptiles.
 6. Domestic rabbits, consistent with the requirements of Section 17.54.140(B)(3). (Rabbits kept for commercial purposes or for food production are prohibited.)
 7. Vietnamese pot bellied pigs (one per residence).
 8. Domestic fowl or birds for non-commercial purposes excluding roosters and peacocks, consistent with the requirements of Section 17.54.140(B)(3).
 9. Livestock, consistent with the requirements of Section 17.54.140(B)(2)
- B. The following conditions shall apply in a zone when animals are permitted:
1. A dog kennel or dog facility exists when four (4) or more dogs of licensable age (six months or older) are kept for commercial reasons such as breeding, buying, selling or boarding. Such facilities are prohibited in a residential zone.
 2. In addition to the minimum lot area ~~per family~~ requirement for the zone, a minimum area of one-half acre of land (exclusive of buildings) shall be provided for accommodation of the animals listed in Subsections (a) and (b) below. The following animals are permitted in residential zones and shall not exceed the following density requirements:
 - a. One horse or one cow over six months of age for each additional half acre (21,780 square feet) over the minimum lot size.
 - b. Two sheep or two goats (or similar size livestock) over six months of age per each additional half acre over the minimum lot size.
 3. A minimum of 5,000 square feet of lot area is required to maintain up to two (2) fowl (excluding roosters and peacocks) or two (2) rabbits, or combination thereof. Each rabbit or fowl in excess of this number shall require an additional 1,000 square feet of lot area.
 4. No enclosure or pen for animals shall be placed in front of the residence nor shall it be closer than 70 feet to a front property line, 15 feet to a side property line or 10 feet to a rear property line.

Chapter 17.57

LANDSCAPING

17.57.010 Purpose and intent. The purpose and intent of this Chapter is to encourage and, where appropriate, require the use of landscape elements, particularly plant materials, in proposed developments in an organized and harmonious manner that will enhance, protect and promote the economic, ecological and aesthetic environment of McMinnville. Landscaping is considered by McMinnville to be an integral part of a complete comprehensive development plan. The City recognizes the value of landscaping in achieving the following objectives:

- A. Provide guidelines and standards that will:

1. Reduce soil erosion and the volume and rate of discharge of storm water runoff.
 2. Aid in energy conservation by shading structures from energy losses caused by weather and wind.
 3. Mitigate the loss of natural resources.
 4. Provide parking lot landscaping to reduce the harmful effects of heat, noise and glare associated with motor vehicle use.
 5. Create safe, attractively landscaped areas adjacent to public streets.
 6. Require the planting of street trees along the City's rights-of-way.
 7. Provide visual screens and buffers that mitigate the impact of conflicting land uses to preserve the appearance, character and value of existing neighborhoods.
 8. Provide shade, and seasonal color.
 9. Reduce glare, noise and heat.
- B. Promote compatibility between land uses by reducing the visual noise and lighting impacts of specific developments on users of the site and abutting properties.
- C. Unify development and enhance and define public and private places.
- D. Preserve existing mature trees.
- E. Enhance the urban forest and tree canopy.
- F. Encourage the use of plants native to the Willamette Valley to the maximum extent feasible, in order to reduce watering requirements and agricultural chemical applications, and to provide a sense of regional identity with plant communities unique to the area.
- G. Establish and enhance a pleasant visual character and structure to the built environment that is sensitive to safety and aesthetic issues.
- H. Support McMinnville as a community that cares about its appearance.

It is further recognized that landscaping increases property values, attracts potential residents and businesses to McMinnville, and creates safer, more pleasant living and working environments for all residents and visitors to the city.

The guidelines and standards contained in this chapter serve to help McMinnville realize the objectives noted above. These guidelines and standards are intended as minimum standards for landscape treatment. Owners and developers are encouraged to exceed these in seeking more creative solutions both for the enhanced value of their land and for the collective health and enjoyment of all citizens of McMinnville. The landscaping provisions in Section 17.57.070 are in addition to all other provisions of the zoning ordinance which relate to property boundaries, dimensions, setback, vehicle access points, parking provisions and traffic patterns. The landscaping objectives shall also seek to accomplish the purposes set forth in Section 17.03.020. (Ord. 5027 §2, 2017; Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

17.57.020 Definitions. For the purposes of this section, refer to Section 17.06.035 for Landscaping related definitions. (Ord. 4952 §1, 2012).

17.57.030 Zones where required. Landscaping shall be required in the following zones except as otherwise noted:

- A. R-4 (Multiple-Family **Dwelling** Residential zone, except the construction of a ~~Single-Family or Two-Family~~ **detached or plex** residential unit **units**);
- B. C-1 (Neighborhood Business zone);
- C. C-2 (Travel Commercial zone);
- D. C-3 (General Commercial zone);
- E. O-R (Office/Residential zone);
- F. M-L (Limited Light Industrial zone);
- G. M-1 (Light Industrial zone);
- H. M-2 (General Industrial zone). (Ord. 5027 §2, 2017; Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

17.57.040 Specific uses requiring landscaping.

- A. Churches, subject to the landscaping requirements of a multiple-family **dwelling** development when in a residential zone and subject to the landscaping requirements of a commercial development when in a zone other than residential;
- B. Utility substations, subject to the landscaping requirements of commercial uses.
- C. Mobile home park, subject to the requirements of a multiple-family **dwelling** development;
- D. Multiple-family **dwelling**, commercial, and industrial uses in residential planned developments, subject to the landscaping requirements of the type of use in the planned development. (Ord. 5027 §2, 2017; Ord. 4264 §1, 1983; Ord. 4254 §1, 1983; Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

[...]

17.57.070 Area Determination—Planning factors.

- A. Landscaping shall be accomplished within the following ranges:
 - 1. Industrial, at least seven percent of the gross area. This may be reduced to not less than five percent upon approval of the review committee. (The gross area to be landscaped may only be reduced by the review committee if there is a showing by the applicant that the intent and purpose of this chapter and subsection B of this section are met.)
 - 2. Commercial, at least seven percent of the gross area. This may be reduced to not less than five percent upon approval of the review committee. (The gross area to be landscaped may only be reduced by the review committee if there is a showing by the applicant that the intent and purpose of this chapter and subsection B of this section are met.)
 - 3. Multiple-family **dwelling**, twenty-five percent of the gross area. This may be reduced to not less than fifteen percent upon approval of the review committee. (The gross area to be landscaped may only be reduced by

the review committee if there is a showing by the applicant that the intent and purpose of this chapter and subsection B of this section are met.)

4. A parking lot or parking structure built in any zone providing parking spaces as required by the zoning ordinance shall be landscaped in accordance with the commercial requirements set forth above in subsection 2 of this section.
5. Any addition to or expansion of an existing structure or parking lot which results in additional lot coverage shall be landscaped as follows: Divide the amount of additional lot coverage (building area, not including basement or upper floors, plus required parking and loading zones) by the amount of the existing lot coverage (building area, not including basement or upper floors, plus required parking and loading zones), multiply by the percentage of landscaping required in the zone, multiply by the total lot area of both the original development and the addition; however, the total amount of the landscaping shall not exceed the requirements set forth in this subsection.

a. ALC (additional <u>lot coverage</u>)	X % of landscaping required	X Total lot area
ELC (existing lot coverage)		

b. Landscaping to be installed on an addition or expansion may be spread over the entire site (original and addition or expansion projects) with the approval of the review committee;

- B. The following factors shall be considered by the applicant when planning the landscaping in order to accomplish the purpose set out in Section 17.57.010. The Landscape Review Committee shall have the authority to deny an application for failure to comply with any or all of these conditions:
 1. Compatibility with the proposed project and the surrounding and abutting properties and the uses occurring thereon.
 2. Screening the proposed use by sight-obscuring, evergreen plantings, shade trees, fences, or combinations of plantings and screens.
 3. The retention of existing trees and natural areas that may be incorporated in the development of the project. The existing grade should be preserved to the maximum practical degree. Existing trees shall be provided with a watering area equal to at least one-half the crown area.
 4. The development and use of islands and plantings therein to break up parking areas.
 5. The use of suitable street trees in the development of new subdivisions, shopping centers and like developments. Certain trees shall be prohibited in parking areas: poplar, willow, fruit, nut, birch, conifer, and ailanthus.
 6. Suitable watering facilities or irrigation systems must be included in or near all planted areas;
- C. All landscaping approved through the Landscape Review Committee shall be continually maintained, including necessary watering, weeding, pruning, mowing, and replacement. Minor changes in the landscape plan, such as

like-for-like replacement of plants, shall be allowed, as long as they do not alter the character and aesthetics of the original plan. It shall be the Planning Director's decision as to what constitutes a major or minor change. Major changes to the landscape plan shall be reviewed and approved by the Landscape Review Committee. (Ord. 5027 §2, 2017; Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

[...]

Chapter 17.58

TREES

(as adopted by Ord. 4654B Dec. 9, 1997)

[...]

17.58.080 Street Tree Planting—When Required. All new multi-family **dwelling** development, commercial or industrial development, subdivisions, partitions, or parking lots fronting on a public roadway which has a designated curb-side planting strip or planting island shall be required to plant street trees in accordance with the standards listed in Section 17.58.090. (Ord. 4654B §1, 1997).

[...]

17.58.100 Street Tree Plans

A. Submittal.

1. Subdivisions and Partitions: Street tree planting plans shall be submitted to the Landscape Review Committee for review and approval prior to the filing of a final subdivision or partition plat.
2. Commercial, Industrial, Parking Lots, and Multi-family **dwelling** Residential Development: Landscape plans, to include street tree planting as may be required by this ordinance, shall be submitted to the Landscape Review Committee for review and approval prior to the issuance of a building permit.

B. Street Tree Plan Content. At a minimum, the street tree planting plan should:

1. Indicate all existing trees, noting location, species, size (caliper and height) and condition;
2. Indicate whether existing trees will be retained, removed or relocated;
3. Indicate the measures to be taken during site development to ensure the protection of existing trees to be retained;
4. Indicate the location, species, and size (caliper and height) of street trees to be planted;
5. Indicate the location of proposed and existing utilities and driveways; and

6. Indicate the location of rights-of-way, existing structures, driveways, and existing trees including their species, size, and condition, within twenty feet of the subject site. (Ord. 4654B §1, 1997).

17.58.110 Street Tree Planting

- A. Residential subdivisions and partitions.
 1. Planting Schedule: Street trees required of residential subdivisions and partitions shall be installed prior to submittal of a final subdivision plat or partition plat. As an alternative the applicant may file a surety bond or other approved security to assure the planting of the required street trees, as prescribed in Section 17.53.153.
- B. Commercial, Industrial, Multi-family **dwelling**, Parking Lot Development.
 1. Planting Schedule: Street trees required of a commercial, industrial, multi-family **dwelling**, or parking lot development shall be installed at the time all other required landscaping is installed. (Ord. 4654B §1, 1997).

17.58.120 Street Tree Maintenance.

- A. Street trees shall be continually maintained, including necessary watering, weeding, pruning and replacement, by the developer or property owner for one full growing season following planting, or as may be required by the City.
- B. Street tree plans, or landscape plans including street trees, shall be maintained in perpetuity. In the event that a street tree must be replaced, the adjacent property owner or developer shall plant a replacement tree of a species from the approved street tree or landscape plan.
- C. Maintenance of street trees, other than those located in the Downtown Tree Zone shall be the continuing obligation of the abutting property owner. The City shall undertake regular maintenance of street trees within the Downtown Tree Zone in accordance with appropriate horticultural practices including pruning and fertilizing to properly maintain the health of such trees. (Ord. 4816 §2, 2004; Ord. 4654B §1, 1997).
- D. Street trees, as they grow, shall be pruned to provide at least eight (8) feet of clearance above sidewalks and thirteen (13) feet above local streets, fifteen (15) feet above collector streets, and eighteen (18) feet above arterial streets. This provision may be waived in the case of newly planted trees so long as they do not interfere with public travel, sight distances, or endanger public safety as determined by the City. Major pruning, as defined in Section 17.58.020, of a street tree must be approved by the City in accordance with Section 17.58.040. (Ord. 5027 §2, 2017; Ord. 4654B §1, 1997).

Chapter 17.59

DOWNTOWN DESIGN STANDARDS AND GUIDELINES

(as adopted Ord. 4797, Oct. 23, 2003)

17.59.010 Purpose. To provide for the protection, enhancement and preservation of buildings, structures, and other elements in the downtown core which contribute to its special historic and cultural value. Further, it is not the purpose of this ordinance to create a “themed” or artificial downtown environment. Rather, its purpose is to build on the “main street” qualities that currently exist within the downtown and to foster an organized, coordinated, and cohesive historic district that reflects the “sense of place,” economic base, and history unique to McMinnville and the downtown core. (Ord. 4797 §1, 2003).

17.59.020 Applicability.

- A. The provisions of this Chapter shall apply to all lands located within the area bounded to the west by Adams Street, to the north by 4th Street, to the east by Kirby Street, and to the south by 1st Street. Lands immediately adjacent to the west of Adams Street, from 1st Street to 4th Street, are also subject to the provisions of this Chapter.
- B. The provisions of this ordinance shall apply to the following activities conducted within the above described area:
 - 1. All new building construction;
 - 2. Any exterior building or site alteration; and,
 - 3. All new signage.
- C. This ordinance shall not apply to the following activities or uses:
 - 1. Maintenance of the exterior of an existing structure, such as re-roofing, re-siding, or repainting where similar materials and colors are used that comply with this ordinance;
 - 2. Interior remodeling; and,
 - 3. Single-family **detached** detached housing.
- D. The Planning Director shall determine whether any proposed maintenance activity complies with this ordinance and whether the proposed activity is subject to the review procedures contained in this chapter.
- E. This ordinance shall apply only to those portions of a building or sign that are proposed for construction or modification and shall not extend to other elements of the building or sign that may be out of compliance with the requirements of this ordinance (i.e., a permit to replace a single window shall not require that all other windows on the building that may be out of compliance with this ordinance to be replaced, unless such action is initiated by the property owner). However, if a building should be destroyed due to fire, accident, or an act of God, the new or replacement structure shall be rebuilt to conform to the requirements of this ordinance. (Ord. 5034 §2, 2017; Ord. 4797 §1, 2003).

[...]

Chapter 17.60

OFF—STREET PARKING AND LOADING

[...]

17.60.050 Spaces—Location.

- A. Except as provided below, required off-street parking spaces for dwellings shall be located on the same lot with the dwelling. For the following residential uses, off-street parking shall be located not farther than five hundred feet from the building or use they are required to serve, measured in a straight line from the building.
 - 1. Off-street parking for one or two upper story residential dwelling units above a non-residential use
 - 2. Off-street parking for residential uses in the City Center Housing Overlay Zone designated in Chapter 17.66
- B. All other required parking spaces shall be located not farther than two hundred feet from the building or use they are required to serve, measured in a straight line from the building.
- C. When parking is provided on a different lot than the use it is required to serve, the applicant shall provide evidence of a binding parking agreement for use of the property for off-street parking consistent with the provisions of this Chapter for as long as the parking is required to serve the property. If the property is in different ownership or subsequently conveyed to a different owner, the parking agreement shall be recorded. (Ord 5105 §2, 2021; Ord 5060 §2, 2018; Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

17.60.060 Spaces—Number required. Except for the southerly 100 feet of Block 10 and the northerly 100 feet of Block 11, Rowland's Addition and the area bounded by Second Street, Adams Street, Fourth Street, and Galloway Street, at the time of erection of a new structure or at the time of enlargement or change of use of an existing structure, off-street parking spaces shall be provided as follows unless greater requirements are otherwise established. Where square feet are specified, the area measured shall be the gross floor area primary to the functioning of the particular use of the property but shall exclude space devoted to off-street parking or unloading.

- A. Residential land use category:
 - 1. Bed and breakfast establishments One space for the first two guest sleeping rooms and an additional space for each additional guest sleeping room.
 - 2. Boarding house, lodginghouse, or roominghouse One space per two guest accommodations.

- | | |
|---|--|
| 3. Fraternity, sorority, cooperative, or dormitory | One space per two sleeping accommodations. |
| 4. Multiple-family dwelling | One and one-half spaces per dwelling with less than three bedrooms, two spaces per dwelling unit with three or more bedrooms, and one space per dwelling unit which is expressly reserved for senior or handicapped persons. |
| 5. Single-family detached and two-family dwelling | Two spaces per dwelling with four or fewer bedrooms, and one additional space for every two additional bedrooms. |
| 6. Short term rental and resident occupied short term rental. | One space for each guest room |
| 7. Missing Middle Housing – Duplexes, Triplexes, Quadplexes, Cottage Clusters, Townhomes, Tiny Homes | One space per dwelling unit. |
| 8. Affordable Housing – Two-bedroom or less, serving households of 80% AMI or less | 0.5 spaces per dwelling unit. |

[...]

17.60.080 Design requirements.

- A. All parking lots and driving aisles shall be asphaltic cement concrete or Portland cement concrete with driving aisles, maneuvering aisle and parking spaces clearly marked, except that in an industrial zone, parking spaces which are in addition to those required by this chapter, may be surfaced with a minimum of treated gravel and maintained dust free.
- B. In a residential zone, a required front yard or a required side yard adjacent to the street shall not be used for any purpose except for off-street parking of motor vehicles, unless otherwise allowed by this ordinance, and such parking space shall not be less than twenty feet in depth from the property line.
- C. Safe access shall be provided as follows:
 - 1. Access aisles shall be of sufficient width for all vehicular turning and maneuvering.
 - 2. Groups of more than four parking spaces shall be so located and served by a driveway that their use will require no backing movements or other maneuvering within a street right-of-way other than an alley.
 - 3. Driveways to off-street parking areas shall be designed and constructed to facilitate the flow of traffic and to provide for maximum safety of pedestrians and vehicular traffic on the site.

4. Clear vision areas shall be provided at driveway exits for all uses except single-family ~~residential~~ **detached dwellings** and ~~two-family residential~~ and **plexes**, shall have minimum dimensions of ten feet measured along the street right-of-way and the edge of the driveway. In commercial and industrial zones, buildings and signs may be constructed with cantilevers which extend out over the clear vision area at a height greater than eight feet when measured from the top of the curb, or where no curb exists, from the established centerline grade. Except for existing permanent buildings and structures (other than signs), nonconformities shall be made to comply with the provisions of this section within seven years from the date of its adoption.
 5. Driveway cuts shall be a minimum of twenty feet from a street intersection.
- D. Parking areas shall be made compatible with surrounding uses as follows:
1. Parking spaces along the outer boundaries of a parking area shall be contained by a curb or a bumper rail so placed to prevent a motor vehicle from extending over an adjacent property, sidewalk, or street.
 2. When a parking area in a commercial or industrial zone abuts a property in a residential zone, a site-obscuring fence or wall, either permanent or of living material, shall be placed along the affected property line. The responsibility for placement of the fence or wall lies with the commercial or industrial property.
 3. Artificial lighting which may be provided shall be so deflected as not to shine or create glare in any residential zone or on any adjacent dwelling.
- E. Space size minimum shall be as follows:
1. Handicap parking spaces shall be a minimum of twelve feet wide and 19 feet in length.
 2. Compact and subcompact parking spaces shall be a minimum of eight feet by sixteen feet.
 3. Standard parking spaces shall be a minimum of eight feet six inches by nineteen feet.
- F. The type of space shall be set as follows:
1. Handicap spaces shall be required and designated as per current federal, state, and local regulations.
 2. Standard spaces shall comprise not less than sixty-five percent of all newly constructed lot spaces.

Except as varied for good cause by the Building Official or Planning Director, maneuvering room shall be required and parking stalls measured according to the following table:

[...]

17.60.100 Reduced requirements for certain area.

- A. In the area bounded by Adams Street, Ford Street, Fourth Street, and Seventh Street, required off-street parking spaces for commercial

establishments may be one-half of the number stated for the particular use in Section 17.60.060 (see special parking requirements map below).

- B. Except as provided in Subsection (C), within the City Center Housing Overlay Zone designated in Chapter 17.66, minimum required off-street parking spaces for residential uses shall be one space per dwelling unit.
- C. Within the areas described in Section 17.60.060 and 17.60.100 and depicted in the “Reduced Parking Requirements” map, minimum required off-street parking spaces for multi-family **dwelling** residential uses shall be 0.5 space per dwelling unit for studio and 1-bedroom dwellings. (Ord 5105 §2, 2021)

[...]

Chapter 17.61

SOLID WASTE AND RECYCLING ENCLOSURE PLAN

(as adopted by Ord. 4883, December 11, 2007)

17.61.010 Purpose and Intent. The purpose and intent of this chapter is to provide efficient, safe and convenient locations for solid waste and recycling containers, to provide adequate on-site maneuvering for collection vehicles and to ensure that solid waste enclosures for all commercial, industrial and multi-family **dwelling** development are in compliance with the solid waste and recycling pick-up standards of the service provider while contributing to the overall appearance and attractiveness of the City of McMinnville.

17.61.020 Applicability and Exemptions.

- A. The requirements of this chapter shall apply to all new commercial, industrial and multi-family **dwelling** developments of three (3) or more dwelling units.
- B. Existing development is exempt from the above requirements. Change-of-use and tenant improvement applications will be assessed on an individual basis for their conformity to the enclosure requirements based on intensity of use and recommendations of the service provider.
- C. When unique physical constraints exist on a property, the Planning Director has the authority to work with the property owner to establish an alternative trash and recycling enclosure plan while still preserving the intent of the requirements of this chapter. Additionally, the Planning Director, in consultation with the service provider, has the authority to grant an exception to the requirement for a solid waste and recycling enclosure if it is determined that the proposed use will not generate enough trash and recycling to necessitate the use of trash receptacles which require screening or if the receptacles are to be maintained inside the building.

17.61.030 Guidelines and Standards.

- A. The location of an enclosure must allow for collection agency drive-in access. A fifty-foot (50) access approach is recommended. In addition to the approach, either an exit that allows the truck to move forward or a turn area with a minimum radius of 46.5 feet is preferred. Both approach and location shall be unobstructed and free of over head wires and low hanging trees. An eighteen-foot (18) minimum height clearance above the enclosure approach is required and a thirty-two-foot (32) vertical clearance is required above the container itself. The enclosure shall be of sufficient size to store trash and recycling receptacles, the size of which shall be determined by the collection agency and will be based on proposed use. A minimum distance of two-feet (2) is required between the container and existing or proposed structures. The enclosure shall be a minimum of six-feet (6) tall or six inches (6) higher than the top of the tallest container.
- B. Solid waste enclosures shall not be located within twenty-feet (20) of a required front or exterior yard and should be placed at the rear of a building whenever possible. Should an enclosure be placed within a required landscaped front or exterior yard, additional landscaping must be provided elsewhere on the property to compensate for the encroachment into the required landscaped yard. Any modifications to required landscaping must meet the approval of the Landscape Review Committee.
- C. Any trash or recycling enclosure which is visible from the street must provide landscaping around three (3) sides of the structure. Climbing vines and screening shrubs or hedges are appropriate and landscaping must be a minimum of three-feet (3) in height at the time of planting.
- D. Where a commercial or industrial zone abuts a residential zone, enclosures must be placed a minimum of thirty-feet (30) from any residential structure or as otherwise approved by the Planning Director.
- E. Generally, the design of the structure should match the exterior surface of the building and can be constructed of masonry, wood or concrete blocks in combination with plant material capable of forming a complete evergreen hedge. The floor of the enclosure shall be a concrete holding pad which must extend eight-feet (8) beyond the gates.
- F. Gates that screen the containers are required and must remain closed at all times except at times of service.
- G. Parking is prohibited in front of the enclosure and all parked vehicles must be located at a safe distance. A "No Parking" sign must be visibly placed on the gates of the enclosure.
- H. Solid waste and recycling enclosures must be placed in a location that is compatible with the City of McMinnville's Fire Code.

17.61.040 Procedure. The applicant is responsible for contacting the collection agency for information regarding the size of containers required relative to proposed use *prior* to submittal of building plans. Two (2) copies of a Solid Waste and Recycling Enclosure plan shall be included in the submitted site (plot) plan or as a separate plan to allow for Planning Department review. At a minimum, the Enclosure Plan will illustrate the location, size and height of the proposed trash enclosure in addition to listing construction materials and any required landscaping. The structure must conform to the approved site plan at the time of final inspection.

Chapter 17.62

SIGNS

(as adopted by Ord. 4900, Nov. 5, 2008)

[...]

17.62. 070 Permanent Sign Regulations. Permanent signs may be erected and maintained only in compliance with the following specific provisions:

- A. Residential (R-1, R-2, R-3, and R-4) zones.
 1. Each subdivision or multi-family **dwelling** complex is permitted one permanent monument sign not to exceed six (6) feet in height and forty-eight (48) square feet in area. The sign shall be nonilluminated.
 2. Each public school, private school, and community building is permitted one (1) permanent sign per public street frontage. Each sign may take any of the following forms (although only one freestanding sign taller than six (6) feet in height is permitted per school): a nonilluminated freestanding sign no taller than fifteen (15) feet in height and no larger than thirty six (36) square feet in area; an indirectly illuminated or non-illuminated monument sign no taller than six (6) feet in height and no larger than forty-eight (48) square feet in area; or a non-illuminated wall sign placed no higher than thirty-five (35) feet above grade or the eave, top of wall, or parapet (whichever is less) and no larger than forty-eight (48) square feet in area. In the case of a private school located within or upon an existing or proposed church facility or site, the total sign face area may be increased by eight (8) square feet. Each sign may include changeable copy (manual or electronic) subject to 17.62.070(E)(1 – 4, 6 and 7). Any electronic changeable copy sign must have all illumination turned off between the hours of 8 p.m. and 7 a.m. Each sign shall meet the setbacks applicable to the residential zone in which it is located.
 3. Each church is permitted one (1) non-illuminated or indirectly illuminated permanent sign per public street frontage. No sign shall be taller than six (6) feet in height. If a church site has more than one frontage, the first sign shall be no larger than thirty (30) square feet in area and any subsequent sign may be no larger than six (6) square feet in area. Signs may include changeable copy (manual or electronic). Signs must be a minimum of ten (10) feet back from any property line. Landscaping shall be provided at the base of the sign, consistent with a plan to be submitted by the applicant for review and approval by the McMinnville Landscape Committee.
- B. Office Residential (O-R) zone. Each site or multi-tenant complex may have one permanent wall, monument, canopy, hanging, or projecting sign per frontage. Signs may not exceed the following heights: wall signs- thirty-five

(35) feet; monument signs- four (4) feet; canopy, hanging, and projecting signs- ten (10) feet. Signs may not exceed twenty-four (24) square feet in area. Signs may be indirectly lit between 6 a.m. and 10 p.m. Signs must be at least five (5) feet from any property line.

- C. Commercial (C-1, C-2, and C-3) and Industrial (M-L, M-1, and M-2) zones. Signs in the commercial and industrial zones may be directly or indirectly lit and shall meet all setback requirements of its zone.
 - 1. Freestanding Signs: Each site or multi-tenant complex is allowed one (1) permanent freestanding sign not to exceed forty-eight (48) square feet in area and six (6) feet in height. In addition, each site or multi-tenant complex is allowed one (1) additional permanent freestanding sign per 500 feet of frontage, not to exceed three (3) per site or multi-tenant complex, each not to exceed 125 square feet in area and twenty (20) feet in height if located on Highways 99W or 18 and sixteen (16) feet in height if located elsewhere.
 - 2. Mounted Signs: There is no limit on the area of permanent mounted signs except as provided in 17.62.070(D)(5).
- D. Supplemental permanent sign provisions.
 - 1. No signs are permitted within a public right-of-way unless authorized by a public agency.
 - 2. Signs shall be erected in an upright position and placed perpendicular to a horizontal surface conforming to the line from horizon to horizon.
 - 3. Maximum square footage restrictions include changeable copy and exclude accessory and incidental signs.
 - 4. Minimum clearance for projecting, canopy, and hanging signs when over a walkway or access area is eight (8) feet.
 - 5. Projecting and hanging signs may extend no more than six (6) feet from a building's façade. No projecting or hanging sign may be over thirty-six (36) square feet in area.
 - 6. Sign setbacks are measured from the nearest property line to the nearest portion of the sign. In addition to the specific setbacks noted above, all signs shall meet the clear-vision requirements of Sections 17.54.050(F) and 17.54.080(A) and (B).
- E. Electronic changeable copy signs are subject to the following standards:
 - 1. One (1) electronic changeable copy sign is permitted per site or multi-tenant complex and shall only be allowed as part of a permanent freestanding or wall sign.
 - 2. The electronic changeable copy portion of a freestanding sign may be no higher than twelve (12) feet above grade.
 - 3. The electronic changeable copy portion of a sign may not exceed twenty-four (24) square feet in area.
 - 4. Electronic changeable copy signs must be set at least ten (10) feet from all property lines.
 - 5. The electronic changeable copy portion of a sign will have its area calculated at a rate two (2) times that of other signs.
 - 6. On sites or multi-tenant complexes on which an electronic changeable copy sign is located, temporary signage is limited to that described in Section 17.62.060(B)(2) and (3).

7. Electronic changeable copy signs must be permanently mounted to the ground or a structure.
- F. Drive-up Service Signs. Additional freestanding signs are permitted with businesses that employ drive-up service. One such sign, not to exceed 36 square feet in area or six feet in height, is allowed per order station. In addition, one secondary sign, a maximum of 15 square feet in area and five feet in height, is allowed per order station. Any freestanding sign that has copy facing toward a public street shall be located a minimum of thirty (30) feet from that street's property line. Wall mount signs shall be exempt from this requirement. (Ord. 5013 §1, 2016; Ord. 4935 §1, 2011; Ord. 4912 §3 2009)

[...]

Chapter 17.63

NONCONFORMING USES

Sections:

- 17.63.010 Purpose.
- 17.63.020 Lots of record—Single-family **detached** dwelling construction permitted.
- 17.63.030 Structures—Alteration or extension.
- 17.63.040 Changes to conforming use only.
- 17.63.050 Use of structure—Discontinuance.
- 17.63.060 Structure—Destruction.
- 17.63.070 Time limit for completion.

17.63.010 Purpose. Within the zones established by this title there exist lots, structures and uses of land and structures which were lawful before the ordinance codified in this title was passed or amended, but which are now prohibited, regulated, or restricted under the terms of this title and amendments. It is the intent of this title to permit these nonconformities until they are removed or abandoned, but not to encourage their survival. Such uses are declared by this title to be incompatible with permitted uses in the zones involved. It is further the intent of this title that nonconformities shall not be enlarged upon, expanded or extended, except as provided for in this title. (Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

17.63.020 Lots of record—Single-family **detached** dwelling construction permitted. In a residential district, one single-family **detached** dwelling may be constructed on any single lot of record which is nonconforming because of area, width, length, or a combination thereof, provided the lot is no less than four thousand square feet in area. All other zoning requirements, such as yard dimensions, setbacks, etc., shall

conform to the zone in which the lot is located. (Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

17.63.030 Structures—Alteration or extension. Structures conforming as to use but nonconforming as to height, yard requirements, setback, lot size, or density may be altered or extended, provided the alteration or extension does not result in a violation of this title, except as provided below:

- A. Dwellings may be altered or extended subject to the provisions of Section 17.54.050;
- B. Dwellings located in residential zones may be altered or extended so long as the alteration or extension does not result in a violation of this title or so long as the alteration or extension is confined within the existing building lines. (Ord. 4912 §3 2009; Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

17.63.040 Changes to conforming use only. If a nonconforming use is changed, it shall be changed to a use conforming to the regulations of the zone, and after it is changed, it shall not be changed back to a nonconforming use. If a use other than that allowed in the zone is desired, a change of zone may be applied for pursuant to Chapter 17.72 (Applications and Review Process) and Chapter 17.74 (Review Criteria) of this code. (Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

17.63.050 Use of structure—Discontinuance. If a nonconforming use, or the use of a nonconforming structure, is discontinued for a period of one year, further use of the property shall conform to the requirements of this title. (Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

17.63.060 Structure—Destruction.

- A. If a nonconforming structure or a structure containing a nonconforming use in the industrial land use category is destroyed by any cause to an extent exceeding sixty percent of the assessed structural value as recorded in the County Assessor's records at the time of destruction, a future structure or use of the property shall conform to the provisions of this ordinance;
- B. If a nonconforming structure or a structure containing a nonconforming use in a residential, commercial, or public land use category is destroyed by fire, accident, or an act of God, the structure may be rebuilt to the same size (square footage before destruction) and may be occupied by the use which occupied the structure at the time of destruction.
- C. In the case of a destruction of a nonconforming multiple-family **dwelling** residential structure, the structure, if rebuilt, may not contain more living units than existed prior to the destruction, except, however, in a C-3 zone within the City Center Housing Overlay Zone, this limitation shall not apply to a multiple-family **dwelling** structure that is nonconforming relative to the referenced setbacks of the R-4 zone, but meets the setbacks of the C-3 zone and which does not otherwise increase nonconformity relative to other development standards. (Ord 5105 §2, 2021; Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

17.63.070 Time limit for completion. To avoid undue hardship, nothing in this chapter shall be deemed to require a change in the plans, construction, or designated use of any building, structure or use for which a building permit has been legally issued prior to the effective date of adoption or amendment of the ordinance codified in this title, except that applications for extension of a building permit shall not be approved to exceed a period of one year from the date of adoption or amendment. (Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

Chapter 17.67

HOME OCCUPATIONS

17.67.010 Home occupations—Purpose. The home occupation provision is included in recognition of the needs of many people who are engaged in small scale business ventures which could not necessarily be sustained if it were necessary to lease commercial quarters for them or which, in the nature of the home occupation, cannot be expanded to full-scale enterprises.

It is the intent of this ordinance that full-scale commercial or professional operations, which would ordinarily be conducted in a commercial or industrial district continue to be conducted in such district and not at home. (Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

17.67.020 Application—Approval. Application for a home occupation permit shall be submitted as required by Section 17.72.020. A permit for a home occupation shall be reviewed by the Planning Director consistent with the procedures in Section 17.72.100. Approval of the permit shall be subject to the following conditions:

- A. If the Planning Director finds that the standards noted in Section 17.67.030 have been met and approval of the permit would create no adverse impact on the immediate neighborhood or the surrounding area, the Director will, within 21 days of the date of the application, issue a renewable and revocable permit, upon payment of the appropriate fee, for a one-year period;
- B. Permits may be renewed for one-year periods upon payment of the appropriate fee, provided that the permit has not been terminated under the provisions of Section 17.67.050 of this ordinance. Permits may also be terminated for failure to pay the renewal fee by the anniversary date of the permit. (Ord. 4947 §1, 2011; Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

17.67.030 Home occupation standards. A home occupation shall mean that any occupation or profession may be carried on by a member of the ~~family~~ **occupants** residing on the premises, provided that the following conditions are satisfied:

- A. No sign is displayed other than that which is permitted by Section 17.62.040;
- B. There is no display that will indicate from the exterior that the building is being used for any purpose other than a dwelling;

- C. Outdoor storage or display of materials, equipment, or merchandise related to the occupation shall be prohibited;
- D. There are no paid employees beyond those residing at the residence listed as the site of the home occupation;
- E. All work being performed at the site must be done within the confines of a building and no noise, odor, dust, smoke or other evidence of the home occupation permeates beyond the confines of the property;
- F. The permit holder must reside at the location listed as the site of the home occupation;
- G. The use does not generate traffic which exceeds the numbers which would normally be found in the neighborhood. The Planning Director may impose other conditions as necessary in order to mitigate impacts related to traffic or clientele. (Ord. 4947 §1, 2011; Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

17.67.040 Prohibited Uses. The following prohibited uses include, but are not limited to:

- A. Motor vehicle sales;
- B. Vehicle repair, body work, or painting;
- C. Storage and/or sale of fireworks;
- D. Junk and salvage operations;
- E. Any use that involves the use of hazardous substances or materials which might create a fire hazard or danger to neighboring properties as may be determined by the Fire Department;
- F. Parking of more than one business-related vehicle on-site.
- G. Marijuana business. (Ord 5000 §3, 2015, Ord 4947 §1, 2011)

17.67.050 Home occupation complaint procedures.

- A. Complaints will be investigated by the Planning Department. If the alleged violation is determined to exist by the Department, the permit holder will be notified of the violation of the standards or conditions by certified letter, and the time period in which the violation must be corrected. If the alleged violation has not been corrected within 15 days of the date of the letter or as may otherwise be specified, the Planning Department shall have cause to revoke said permit. Notice of termination of the permit shall be provided by certified mail to the permit holder;
- B. Upon termination of the permit by the Planning Department, an appeal of the decision may be made to the Planning Commission as provided in Section 17.72.170 of this ordinance. (Ord. 4947 §1, 2011; Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

17.67.060 Standards for judging objections. Standards for judging objections to a home occupation shall include, but not be limited to the following:

- A. Generation of excessive traffic;
- B. Monopoly of on-street parking spaces;
- C. Frequent deliveries and pickups by motor freight trucks;
- D. Noise in excess of that created by normal residential use (either in terms of volume or hours of occurrence);

- E. Smoke, fumes, or odors in excess of those created by normal residential use;
- F. Failure to meet the conditions listed in Section 17.67.030 Home Occupation Standards;
- G. Other offensive activities not in harmony with a residential neighborhood. (Ord. 4947 §1, 2011; Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

17.67.070 Action by Commission—Home occupation complaints. The Commission, upon hearing the evidence, may:

- A. Approve the use as it exists;
- B. Require the use to be terminated; or
- C. Impose appropriate restrictions, such as limiting hours of operation, establishing a phase-out period, or other measures insuring compatibility with the neighborhood. (Ord. 4947 §1, 2011; Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

TABLE OF CONTENTS

<u>Title</u>	<u>Page</u>
Chapter 17.03	GENERAL PROVISIONS..... 1
Sections:	
17.03.010	Title.....1
17.03.020	Purpose1
17.03.030	Severability1
17.03.040	Interpretation-More restrictive provisions govern.....1
17.03.050	Compliance with provisions required.....1
17.03.060	Enforcement2
17.03.070	Inspection and Right-of-Entry.....2
17.03.080	Violation-Procedure-Penalty2
17.03.090	Legal Proceedings as Alternative Remedy.....2
Chapter 17.06	DEFINITIONS..... 3
Sections:	
17.06.015	General Definitions3
17.06.020	Special Definitions24
17.06.025	Airport Overlay Zone Related Definitions24
17.06.030	Flood Area Zone Related Definitions26
17.06.035	Landscaping Related Definitions.....27
17.06.036	Marijuana Activities Related Definitions27
17.06.040	Sign Related Definitions.....28
17.06.045	Tree Related Definitions32
17.06.050	Wireless Communications Facilities Related Definitions33
Chapter 17.09	ZONE CLASSIFICATION, BOUNDARIES AND MAPS..... .35
Sections:	
17.09.010	Zones established.....35
17.09.020	Zone boundaries—Map adopted by reference35
17.09.030	Zone boundaries—Designated35

17.09.040	Zone boundaries—Official map.....	36
17.09.050	Annexed areas.....	36

Chapter 17.11 RESIDENTIAL DESIGN AND DEVELOPMENT STANDARDS

Sections:

17.11.010	<i>Purpose</i>	
17.11.011	<i>Applicability</i>	
17.11.012	<i>Introduction to Housing Types</i>	
17.11.013	<i>Zoning Table of Allowed Housing Types</i>	
17.11.014	<i>Definition of Housing Types</i>	
17.11.015	<i>Introduction to Development Standards Table</i>	
17.11.020	<i>Tiny Houses</i>	
17.11.030	<i>Cottage Clusters</i>	
17.11.040	<i>Accessory Dwelling Units</i>	
17.11.050	<i>Single Detached Houses</i>	
17.11.060	<i>Plexes</i>	
17.11.070	<i>Townhouses</i>	
17.11.080	<i>Single Room Occupancy</i>	
17.11.090	<i>Apartments</i>	
17.11.100	<i>Residential Universal Design Standards</i>	
17.11.110	<i>Planned Development Residential Design and Development Standards</i>	

Chapter 17.12 R-1 SINGLE-FAMILY LOW-DENSITY 9000 SF LOT RESIDENTIAL ZONE 37

Sections:

17.12.010	Permitted uses.....	37
17.12.020	Conditional uses	41
17.12.030	Lot size	42
17.12.040	Yard requirements	42
17.12.050	Building height	43
17.12.060	Density requirements	43

Chapter 17.15 R-2 SINGLE-FAMILY LOW-DENSITY 7000 SF LOT RESIDENTIAL ZONE 45

Sections:

17.15.010	Permitted uses.....	45
17.15.020	Conditional uses	48
17.15.030	Lot size	48
17.15.040	Yard requirements	48
17.15.050	Building height	49
17.15.060	Density requirements	49

Title Page

Chapter 17.18 R-3 TWO-FAMILY MEDIUM-DENSITY 6000 SF LOT RESIDENTIAL ZONE 51

Sections:

17.18.010	Permitted uses.....	51
17.18.020	Conditional uses	53
17.18.030	Lot size	54
17.18.040	Yard requirements	54

17.18.050	Building height	54
17.18.060	Density requirements	54
Chapter 17.21	R-4 MULTIPLE-FAMILY R-4 MEDIUM, HIGH-DENSITY 5000 SF LOT RESIDENTIAL ZONE	55
Sections:		
17.21.010	Permitted uses	55
17.21.020	Conditional uses	57
17.21.030	Lot size	59
17.21.040	Yard requirements	59
17.21.050	Building height	59
17.21.060	Density requirements	59

[...]

Chapter 17.63	NONCONFORMING USES	197
Sections:		
17.63.010	Purpose	197
17.63.020	Lots of record—Single-family dwelling construction permitted	197
17.63.030	Structures—Alteration or extension	197
17.63.040	Changes to conforming use only	197
17.63.050	Use or structure—Discontinuance	198
17.63.060	Structure—Destruction	198
17.63.070	Time limit of completion	198

[...]