

ORDINANCE NUMBER 1561

AN ORDINANCE OF THE CITY OF MILWAUKIE, OREGON, AMENDING ORDINANCE NO. 1438 BY ADDING PROVISIONS FOR SECONDARY DWELLING UNITS.

WHEREAS, the following amendments were recommended by the Planning Department, public hearings were held before the Planning Commission and City Council and the Council finds that the amendments are necessary and in the best interest of the city, therefore,

THE CITY OF MILWAUKIE DOES ORDAIN AS FOLLOWS:

Section 1. Definitions. Section 1.03 of Ordinance No. 1438 is amended by deleting the current definition of "dwelling unit" and by adding the following definitions in appropriate order:

Dwelling Unit: One or more rooms designed for occupancy by one family, but excluding a recreational vehicle.

Secondary Dwelling Unit: A dwelling unit allowed in conjunction with another dwelling unit either by means of existing space or by means of an addition.

Section 2. Conditional Uses Permitted. Sections 3.01.2, 3.02.2, 3.03.2, 3.04.2 and 3.05.2 of Ordinance 1438 are amended by adding at the end: Secondary dwelling unit.

Section 3. Secondary Dwelling Units. Section 6.02 of Ordinance No. 1438 is amended by adding the following:

17. Secondary Dwelling Unit: A secondary dwelling unit may be allowed in conjunction with a detached single-family dwelling by conversion of existing space, or by means of an addition.

Requirements for conversion of existing space or addition:

- a) The unit is in conformance with the site development requirements of the underlying zone.
- b) One off-street parking space is provided for the secondary unit in addition to the required parking for the primary dwelling.
- c) Garage or carport space may not be converted to a secondary dwelling unit, unless parking standards can be met after the completion of the unit.
- d) Public facilities must be adequate to serve both dwelling units, as determined by the Public Works Department.

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- e) One unit shall be occupied by the property owner.
- f) The Planning Commission may impose conditions regarding height modification, landscaping, buffering and orientation of the secondary unit to protect privacy of the neighbors, and any other conditions deemed necessary.
- g) Conditions of approval shall be part of the deed restrictions.
- h) No more than one additional unit is allowed.

Requirements for conversion of existing space:

- a) Cannot exceed 50% of the existing structure.
- b) Each unit shall be a minimum of 250 sq. feet.
- c) No fire escape or exterior stair for access to an upper level may be located on the front of a building.

Requirements for addition:

- a) Does not exceed one bedroom.
- b) The maximum area is 800 sq. ft.

Section 4. Conditional Use Procedure. Section 6.03 of Ordinance 1438 is deleted.

Read the first time on April 17, 1984 and moved to second reading by majority vote of the City Council.

Read the second time on May 1, 1984 and adopted by the City Council on May 1, 1984.

Signed by the Mayor on May 3, 1984.

Ronald D. Kinell
Mayor

ATTEST:

Laurie Perkin
Laurie Perkin, City Recorder

Approved as to form:

Greg Eades
Greg Eades, City Attorney