

THIS DRAFT WOULD REPEAL SECTIONS 19.301 – 303 AND REPLACE THEM WITH THE TEXT BELOW.

### 19.301 LOW DENSITY RESIDENTIAL ZONES

The low density residential zones are the Residential Zone R-10, Residential Zone R-7, and Residential Zone R-5. These zones implement the Low Density and Moderate Density residential land use designations in the Milwaukie Comprehensive Plan.

#### 19.301.1 Purpose

The low density residential zones are intended to create, maintain and promote neighborhoods with larger lot sizes where the land use is primarily single-family dwellings. They allow for some non-household living uses, but maintain the overall character of a single-family neighborhood.

#### 19.301.2 Allowed Uses in Low Density Residential Zones

Uses allowed, either outright or conditionally, in the low density residential zones are listed in Table 19.301.2 below. Similar uses not listed in the table may be allowed through a Director's Determination pursuant to Section 19.903. Important notes and/or cross references to other applicable code sections are listed in the "Comments/Standards" column.

See Section 19.201, Definitions, for a specific description of the uses listed in the table.

Table 19.301.2 Low Density Residential Uses Allowed				
Use	R-10	R-7	R-5	Comments/Standards
<b>Residential Uses</b>				
Single-family detached dwelling	P	P	P	See 19.505.1 for design standards.
Duplex	P/II	P/II	P	See 19.910.2, Duplexes, for approval process and standards
Residential home	P	P	P	See 19.505.1 for design standards.
Accessory dwelling unit	P	P	P	See 19.910.1, Accessory Dwelling Units, for approval process and standards
Manufactured dwelling park	NP	III	III	See 19.910.3, Manufactured Dwelling Parks.
Senior and retirement housing	CU	CU	CU	See 19.905.9.G, Senior and Retirement Housing
<b>Commercial Uses</b>				
Office	CU	CU	CU	See 19.301.3.B, Use Limitations and Restrictions.
<b>Accessory and Other Uses</b>				
Accessory structures and uses	P	P	P	See 19.503, Accessory Uses
Agricultural or horticultural use	P	P	P	See 19.301.3.B, Use Limitations and Restrictions.
Community service uses	CSU	CSU	CSU	See 19.904, Community Service Uses
Home occupation	P	P	P	See 19.507, Home Occupation Standards

P = Permitted, any required review noted in comments column; II = Type II Review required; III = Type III Review required; NP = Not permitted; CSU = Permitted with Community Service Use approval subject to provisions of Section 19.904; CU = Permitted with conditional use approval subject to the provisions of Section 19.905

### 19.301.3 Use Limitations and Restrictions

- A. Agricultural or horticultural uses are permitted, provided that the two following conditions are met.
  - 1. A retail or wholesale business sales office is not maintained on the premises.
  - 2. Poultry or livestock other than usual household pets are not housed or kept within 100 feet of any dwelling not on the same lot, nor on a lot less than one acre, nor having less than 10,000 square feet per head of livestock.
- B. Office uses are allowed as a conditional use, subject to the following limitations:
  - 1. The office use is limited to no more than 2,000 sq ft of floor area.
  - 2. The site is located on an arterial street, as identified by the Milwaukie Transportation System Plan.

### 19.301.4 Development Standards

In the low density residential zones, the development standards in Table 19.301.4 apply. Important notes and/or cross references to other applicable code sections are listed in the "Comments/Additional Provisions". Additional standards are provided in Section 19.301.5.

See Section 19.201, Definitions, for a specific description of standards listed in the table.

Table 19.301.4 Low Density Residential Development Standards					
Standard	R-10	R-7	R-5	Comments/Additional Provisions	
A. Lot Standards					
1. Minimum lot size (square feet) a. Single-family detached b. Duplex	10,000 14,000	7,000 14,000	5,000 10,000	See 19.501.1, Lot Size Exceptions	
2. Minimum lot width (feet)	70	60	50		
3. Lot depth (feet)	100	80	80		
4. Minimum street frontage requirements (feet) a. Standard lot b. Flag lot c. Double flag lot	35 25 35	35 25 35	35 25 35	Every lot shall abut a public street other than an alley, except as provided in Title 17, Land Division.	
B. Development Standards					
1. Minimum yard requirements for primary structures (feet) a. Front yard b. Side yard c. Street side yard d. Rear yard	20 10 20 20	20 5 / 10 20 20	20 5 15 20		See 19.301.5.A See 19.501.2, Yard Exceptions See 19.504.9 for flag lot development standards.
2. Maximum building height for primary structures	2.5 stories or 35 feet, whichever is less				
				See 19.501.3, Building Height Exceptions	

**Table 19.301.4**  
**Low Density Residential Development Standards**

<b>Standard</b>	<b>R-10</b>	<b>R-7</b>	<b>R-5</b>	<b>Comments/Additional Provisions</b>
3. Maximum lot coverage (% of total lot area)	30%	30%	35%	See Lot Coverage definition in Section 19.201. See Lot Coverage Adjustments in 19.301.5.B.
4. Minimum vegetation (% of total lot area)	35%	30%	25%	See 19.301.5, Front Yard Vegetation, and see 19.504.7, Minimum Vegetation.
<b>C. Other Standards</b>				
1. Density requirements (dwelling units per net acre)				See 19.301.5.B. See 19.501.4, Density Exceptions.
a. Minimum	3.5	5.0	7.0	
b. Maximum	4.4	6.2	8.7	

### 19.301.5 Additional Development Standards

- A. Side yards. The following additional provisions apply to required side yard setbacks.
1. In the R-7 zone, one side yard shall be at least 5 feet and one side yard shall be at least 10 feet, except on a corner lot the street side yard shall be 20 feet.
  2. In the R-10, R-7, and R-5 zones, 1 additional foot of side yard beyond what is identified in Subsection 19.301.4.B.1.b is required for each 3 feet of building height over 2 stories or 25 feet, whichever is less. This requirement does not apply to the required street side yards.
- B. Lot Coverage. The lot coverage standards in Subsection 19.301.4.B.3 are modified for specific uses and lot sizes as described below. The reductions and increases are combined for lots that are described more than one of the situations below.
1. The lot coverage percentage in Subsection 19.301.4.B.3 is reduced by [5-10] for a single-family detached dwelling, duplex, or residential home on a lot that is more than 2.5 times larger than the minimum lot size in Subsection 19.301.4.A.1.
  2. The lot coverage percentage in Subsection 19.301.4.B.3 is increased by 10 for development of a single-family detached dwelling or an addition to an existing single-family detached dwelling if the following standards below are met.  
A Type II Variance per Subsection 19.911.4.A to further increase this lot coverage allowance is prohibited.
    - a. The minimum vegetation standard of Subsection 19.301.4.B.4 is met.
    - b. The yard requirements of Subsection 19.301.4.B.1 are met. A variance per Section 19.911 may be approved to allow a decrease in the required yards.
    - c. The portions of the structure that are in excess of [17-20] feet in height or in excess of 1 story are limited to the lot coverage standard listed in Subsection 19.301.4.B.3. Only portions of the structure that are less than [17-20] and no taller than 1 story are allowed to exceed the listed lot coverage standard.
  3. The lot coverage percentage in Subsection 19.301.4.B.3 is increased by 20 for a duplex.

4. The lot coverage percentage in Subsection 19.301.4.B.3 is increased by 5 for the development of a new detached accessory dwelling unit. This allowance applies only to the detached accessory structure and does not allow for the primary structure or other accessory structures to exceed lot coverage standards.
- C. Front Yard Minimum Vegetation. At least [25-40]% of the required front yard shall be vegetated. The required front yard vegetation area counts toward the minimum required vegetation for the lot.
- D. The minimum and maximum development densities in Subsection 19.301.4.C.1 are applicable for any proposal to create new units of land or modify the boundaries of existing property.
- E. Accessory structure standards. Standards specific to accessory uses and accessory structures are contained in Section 19.502.
- F. In the low density residential zones, only 1 building designed for dwelling purposes shall be permitted per lot. See Subsection 19.504.4.
- G. Off-street parking and loading is required as specified in Chapter 19.600.
- H. Transportation requirements and public facility improvements are required as specified in Chapter 19.700.
- I. Additional Standards. Depending upon the type of use and development proposed, the following sections of Chapter 19.500, Supplementary Development Regulations may apply. These sections are referenced for convenience, and do not limit or determine the applicability of other sections within the Milwaukie Municipal Code.
  1. Subsection 19.504.4, Buildings on the Same Lot.
  2. Subsection 19.504.9, Flag Lot Design and Development Standards.
  3. Subsection 19.505.1, Design Standards for Single-Family Dwellings.
  4. Subsection 19.506.4, Manufactured Dwelling Siting and Design Standards, Siting Standards.