

THIS DRAFT WOULD REPEAL SECTIONS 19.304 – 308 AND REPLACE THEM WITH THE TEXT BELOW.

## 19.302 MEDIUM AND HIGH DENSITY RESIDENTIAL ZONES

The medium and high density residential zones are the Residential Zone R-3, Residential Zone R-2.5, Residential Zone R-2, Residential Zone R-1, and the Residential-Business Office Zone R-1-B. These zones implement the Medium Density and High Density residential land use designations in the Milwaukie Comprehensive Plan.

### 19.302.1 Purpose

The medium density residential zones are intended to create and maintain higher density residential neighborhoods, including opportunities for multi-family housing and a mix of neighborhood commercial, office, and institutional uses.

### 19.302.2 Allowed Uses in Medium Density Residential Zones

Uses allowed, either outright or conditionally, in the medium density residential zones are listed in Table 19.302.2 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 19.302.2 Medium Density Residential Uses Allowed						
Use	R-3	R-2.5	R-2	R-1	R-1-B	Comments/Standards
<b>Residential</b>						
Single-family detached dwelling	P	P	P	P	P	See 19.505.1
Duplex	P	P	P	P	P	See 19.505.1
Residential home	P	P	P	P	P	See 19.505.1
Accessory dwelling unit	P	P	P	P	P	See 19.910.1, Accessory Dwelling Units, for approval process and standards
Manufactured dwelling parks	III	NP	NP	NP	NP	See 19.910.3, Manufactured Dwelling Parks.
Rowhouse	P	P	P	P	P	See 19.302.3, Use Limitations and Restrictions See 19.505.1
Cottage Cluster Housing	P	P	P	P	P	See 19.505.4
Multifamily	CU	CU	P	P	P	See 19.302.4.A.2. See 19.905.9.G, Multifamily Condominium and Apartment Dwellings See 19.505.2
Congregate housing facility	CU	CU	P	P	P	
Senior and retirement housing	CU	CU	CU	P	P	See 19.905.9.G, Senior and Retirement Housing

**Table 19.302.2  
Medium Density Residential Uses Allowed**

Use	R-3	R-2.5	R-2	R-1	R-1-B	Comments/Standards
Boarding, lodging and rooming house	CU	CU	CU	CU	CU	
<b>Commercial</b>						
Office	CU	CU	CU	CU	P	Where allowed as a conditional use, see 19.302.3, Use Limitations and Restrictions
Retail trade	CU	CU	CU	CU	CU	See 19.302.3, Use Limitations and Restrictions
Personal/business services	CU	CU	CU	CU	CU	See 19.302.3, Use Limitations and Restrictions
Commercial recreation	CU	CU	CU	CU	CU	See 19.302.3, Use Limitations and Restrictions
Hotel or motel	NP	NP	CU	CU	CU	
Bed and Breakfast	CU	CU	CU	CU	CU	
<b>Accessory and Other Uses</b>						
Accessory structures and uses	P	P	P	P	P	See 19.503, Accessory Uses
Agricultural or horticultural use	P	P	P	P	P	See 19.302.3, Use Limitations and Restrictions
Community service uses	CSU	CSU	CSU	CSU	CSU	See 19.904, Community Service Uses
Home occupation	P	P	P	P	P	See 19.507, Home Occupation Standards

NP = Not permitted; P = Permitted, any required review noted in comments column; III = Type III Review required; 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

### 19.302.3 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 allowed in the R-1-B zone are offices, studios, clinics, and others similar professional offices.
- C. Office uses in the R-3, R-2.5, R-2 and R-1 zones, and retail trade, personal/business services, and commercial recreation are permitted as conditional uses, 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.

D. Limitations on Rowhouse Development.

1. Rowhouse development is not allowed on lots with a lot width of more than 35 feet.
2. Rowhouse development is allowed only where there are at least 2 abutting lots on the same street frontage that meet the minimum lot dimensions for rowhouses in Subsection 19.302.4.
3. No more than [2-5] consecutive rowhouses that have an abutting rowhouse on both side lot lines are allowed.

E. Cottage Cluster Housing is allowed subject to the standards for cottage cluster housing per Subsection 19.50X.

**19.302.4 Development Standards**

In the medium density residential zones, the development standards in Table 19.302.4 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.

The standards in Subsection 19.302.4 are not applicable to cottage cluster development except where specifically referenced by Subsection 19.505.X.

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



**Table 19.302.2**  
**Medium Density Residential Development Standards**

Standard	R-3	R-2.5	R-2	R-1	R-1-B	Comments / Additional Provisions
A. Lot Standards						
1. Minimum lot size (in square feet)						See 19.501.1, Lot Size Exceptions. See 19.505.X for standards on lots in cottage clusters
a. Rowhouse	3,000	2,500	2,500	1,400	1,400	
b. Duplex	6,000	5,000	7,000	6,400	6,400	
c. All other lots	5,000	5,000	5,000	5,000	5,000	
2. Lot width (feet)						
a. Rowhouse	30	25	25	20	20	
b. All other lots	50	50	50	50	50	
4. Lot depth (feet)						
a. Rowhouse	80	75	80	70	70	
b. All other lots	80	75	80	80	80	
5. Minimum street frontage requirements (feet)						Every lot shall abut a public street other than an alley, except as provided in Tile 17, Land Division.
a. Rowhouse	30	25	25	20	20	
b. Standard lot	35	35	35	35	35	
c. Flag lot	25	25	25	25	25	
d. Double flag lot	35	35	35	35	35	
B. Development Standards						
1. Minimum yard setbacks for primary structures (feet)						See 19.302.5.A. See 19.501.2, Yard Exceptions. See 19.504.6, Transition Area Measures. See 19.504.5, Distance from Property Line.
a. Front yard	15					
b. Side yard	See 19.302.5.A					
c. Street side yard	15					
d. Rear yard	15					
2. Maximum building height for primary structures	2.5 stories or 35 feet, whichever is less		3 stories or 45 feet, whichever is less			See 19.501.3, Building Height Exceptions
3. Maximum lot coverage (% of total lot area)	40%		45%		50%	See Lot Coverage definition in Subsection 19.201

Table 19.302.2 Medium Density Residential Development Standards						
Standard	R-3	R-2.5	R-2	R-1	R-1-B	Comments / Additional Provisions
4. Minimum vegetation (% of total lot area)	35%				15%	Area that must be covered in trees, grass, shrubs, bark dust for planting beds, or similar landscaping features. See 19.504.7, Minimum Vegetation.
C. Other Standards						
1. Density requirements (dwelling units per net acre) a. Minimum b. Maximum	11.6 14.5	11.6 17.4		25.0 32.0		See 19.302.5.C. See 19.501.4, Density Exceptions.

### 19.302.5 Additional Development Standards

#### A. Side yards.

1. In the medium and high density zones, the required side yard is determined per Table 19302.5. The measurements in this table do not apply to required street side yards.

<b>Table 19.302.5</b> <b>R-3, R-2.5, R-2, R-1, and R-1-B Required Side Yard</b>	
<b>If the area of the plane of the building wall is:</b>	<b>The required side yard is</b>
1,000 sq ft or less	5 ft
1,001 sq ft — 1,300 sq ft	6 ft
1,301 sq ft — 1,600 sq ft	7 ft
1,601 sq ft — 1,900 sq ft	8 ft
1,901 sq ft — 2,200 sq ft	9 ft
2,201 sq ft — 2,500 sq ft	10 ft
2,501 sq ft — 2,800 sq ft	11 ft
2,801 sq ft — 3,100 sq ft	12 ft
3,101 sq ft — 3,400 sq ft	13 ft
3,401 sq ft or greater	14 ft

2. There is no required side yard for rowhouses that share a common side lot line.

#### C. Lot Coverage. The lot coverage standards in Subsection 19.302.4.B.3 are modified for specific uses and lot sizes as described below. The reductions and increases are additive for lots that are described by one or more of the situations below.

1. 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 setback standards 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 setbacks.
- 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 or rowhouse.
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. This requirement does not apply to rowhouse development.
- D. Height exceptions. One additional story may be permitted in excess of the required maximum standard. An additional 10% of site area that is retained in vegetation beyond the minimum is required for each additional story.
- D. The minimum and maximum development densities in Subsection 19.302.4.C.1 are applicable for land division and boundary change applications, and any development that would change the number of dwelling units on a lot. Development of a single-family detached dwelling or an accessory dwelling is exempt from the minimum and maximum density requirements.
- D. Accessory structure standards. Standards specific to accessory structures are contained in Section 19.502.
- E. In the R-3 zone, only 1 building designed for dwelling purposes shall be permitted per lot. See Subsection 19.504.4.
- F. Off-street parking and loading is required as specified in Chapter 19.600.
- G. Transportation requirements and public facility improvements are required as specified in Chapter 19.700.
- H. 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 19.504.8, Multifamily Recycling Requirements.
  - 3. Subsection 19.504.9, Flag Lot Design and Development Standards.
  - 4. Subsection 19.504.10, On-Site Walkways and Circulation.
  - 5. Subsection 19.504.11, Setbacks Adjacent to Transit.
  - 6. Subsection 19.505.1, Design Standards for Single-Family Dwellings.
  - 7. Subsection 19.505.2, Building Orientation to Transit.
  - 8. Subsection 19.506.4, Manufactured Dwelling Siting and Design Standards, Siting Standards.