



COMMUNITY DEVELOPMENT

333 Broadalbin Street SW, PO Box 490, Albany, Oregon 97321-0144 | Community Development 541-917-7550

Staff Report

Site Plan Review

SP-11-24

April 24, 2024

Application Information

| | |
|---------------------------|--|
| Proposal: | To construct a new 2,800-square-foot residential accessory building. |
| Review Body: | Staff (Type I-L review) |
| Property Owner/Applicant: | Arlene and Brent Whitney; 2483 NW Gibson Hill Road, Albany, OR 97321 |
| Address/Location: | 2483 NW Gibson Hill Road, Albany, OR 97321 |
| Map/Tax Lot: | Benton County Tax Assessor's Map No. 10S-03W-36BC; Tax Lot 4800 |
| Zoning: | Residential Single Dwelling (RS-10) |
| Overlay Districts: | Non-Jurisdictional Wetlands |
| Total Land Area: | 3.45 acres |
| Existing Land Use: | Residential |
| Neighborhood: | North Albany |
| Surrounding Zoning: | North: Residential Single Dwelling (RS-10) East: RS-10 South: RS-10 West: RS-10 |
| Surrounding Uses: | North: Single-dwelling unit residential East: Single-dwelling unit residential South: Single-dwelling unit residential West: Single-dwelling unit residential |

Summary

On March 06, 2024, the applicant submitted a Site Plan Review application to construct a residential accessory structure on the subject improved residential property identified as 2483 NW Gibson Hill Road, Albany, OR, 97321 and Benton County Map Number 10S-03W-36BC; Tax Lot 4800. The proposed accessory structure is a 2,800-square-foot, one-story structure with a wall height of 17 feet and an overall height of approximately 34 feet (Attachment C). The proposed structure will have wood siding with composite shingles for a roof.

The property is zoned Residential Single Dwelling (RS-10). Accessory buildings in residential districts that are 750 square feet or larger, or have walls taller than 11 feet, are allowed outright in the RS-10 zone if they meet compatibility standards in Section 3.080(9) of the Albany Development Code (ADC). If the compatibility standards are not met, approval of a Site Plan permit is required.

The subject parcel is residential improved; however, because the size and height of the proposed structure exceed the maximum wall height and square footage allowed, the proposed accessory structure is required to be evaluated for conformance with the applicable Site Plan Review criteria in Section 2.450 of the ADC.

The analysis in this report finds that all applicable standards and criteria for a Site Plan Review permit are satisfied as conditioned.

Notice Information

A notice of filing was mailed to property owners located within 100 feet of the subject property on April 2, 2024. No comments were received regarding the proposed accessory structure.

Analysis of Development Code Criteria

Section 2.450 of the ADC includes the following review criteria that must be met for this application to be approved. Code criteria are written in **bold** followed by findings, conclusions, and conditions of approval where conditions are necessary to meet the review criteria.

Criterion 1

The application is complete in accordance with the applicable requirements.

Findings of Fact

1.1 In accordance with the applicable requirements, the application was deemed complete on April 2, 2024.

Conclusion

1.1 This criterion is met without conditions.

Criterion 2

The application complies with all applicable provisions of the underlying zoning district including, but not limited to, setbacks, lot dimensions, density, lot coverage, building height, and other applicable standards.

Findings of Fact

- 2.1 The applicant proposes to construct a 2,800 square foot accessory building to be used as a detached garage with habitable space consisting of a bathroom, kitchenette, and living room. Pursuant to ADC Table 3.050-1 an accessory dwelling unit is an allowed use upon the subject property subject to the standards found in ADC 3.080(4). The proposed building's habitable space is approximately 1,700 square feet which exceeds the maximum ADU size of 900 square feet. As a condition of approval, the applicant shall file a restrictive deed covenant prohibiting the conversion of the habitable space into an accessory dwelling unit.
- 2.2 Per ADC Table 3.190-1, the maximum front setback is 20 feet. Per ADC Table 3.230-1, the minimum interior setback for detached structures with walls greater than eight feet tall is five feet. The proposed accessory structure is to be used as a garage with a detached living room for entertainment. An accessory dwelling unit is an allowed use in the RS-10 zoning district.
- 2.3 The minimum setback for garages with a vehicle entrance is 20 feet. The site plan (Attachment B) submitted by the applicant indicates the proposed accessory building will meet the minimum front setback of 20 feet and the interior setback of five feet.
- 2.4 The lot dimensions do not change with the proposed accessory structure.
- 2.5 Per ADC Table 3.190-1, the total lot coverage allowed in the RS-10 zone is 50 percent. With the proposed accessory structure, the total lot coverage will be 3.80 percent.
- 2.6 Per ADC Table 3.190-1, the maximum height allowed in the RS-10 zone is 30 feet. ADC 22.400 "Height of Building" defines the height of a pitched roofed building as the average height of the highest gable of a pitched roof. The total height of the proposed structure is approximately 34 feet, with an average height of the highest gable of the pitched roof being 24.5 feet. The applicant proposes a wall height of 16 feet.

Conclusion

2.1 The proposed development meets all current provisions, including setbacks, lot coverage, lot dimensions, building height, and other applicable standards.

- 2.2 The habitable space exceeds the maximum size of an accessory dwelling unit. A non-conversion deed restriction must be filed with the deed of the property prior to the issuance of a building permit.

Condition

- Condition 1: Prior to the issuance of building permits, a restrictive covenant shall be filed with the deed chain, prohibiting the conversion of the habitable space into an accessory or second detached dwelling unit.

Criterion 3

Activities and developments within special purpose districts comply with the regulations described in Articles 4 (Airport Approach), 6 (Natural Resources), and 7 (Historic), as applicable.

Findings of Fact

- 3.1 *Article 4 Airport Approach district:* According to Figure 4.410-1 of the ADC, the subject property is not located within the Airport Approach district.
- 3.2 *Article 6 Steep Slopes, Comprehensive Plan Plate 7:* According to Plate 7 of the Comprehensive Plan, the subject property is not located in the Hillside Development overlay district.
- 3.3 *Article 6 Wetlands, Comprehensive Plan Plate 6:* according to Plate 6 of the Comprehensive Plan, the subject property contains a local wetland on the property. The proposed development is not located within 50 feet of the mapped wetland upon the property. The National Wetlands Inventory Map does not indicate there are any National Wetlands upon the property.
- 3.4 *Article 7 Historic Districts, Comprehensive Plan Plate 9:* According to Plate 9 of the Comprehensive Plan, the subject property is not located in one of Albany's Historic Districts. There are no known archaeological sites on the property.
- 3.5 *Article 6 Floodplains, Comprehensive Plan Plate 5:* The applicable Flood Insurance Rate Map (FIRM) for the subject site is Community Panel No. 41043C0195H, dated December 8, 2016. Based on this FIRM, the subject property is not located within the floodway and the 100-year floodplain.

Conclusion

- 3.1 Portions of the property contain local wetlands. The location of the proposed development is not in or within 50 feet of the identified local wetland.

Criterion 4

The application complies with all applicable Design Standards of Article 8.

Findings of Fact and Conclusions

- 4.1 The proposed accessory structure does not have applicable design standards.
- 4.2 The review criterion is not applicable.

Criterion 5

The application complies with all applicable Design Standards of Article 10.

Findings of Fact and Conclusions

- 5.1 Article 10 pertains to manufactured homes, manufactured home parks, and RV parks. These uses do not pertain to the proposal.
- 5.2 This review criterion is not applicable.

Criterion 6

The application complies with all applicable On-Site Development and Environmental Standards of Article 9.

Findings of Fact

- 6.1 The standard parking requirement for a single-dwelling unit residence does not apply to this proposed structure.
- 6.2 The landscaping requirement does not apply to this proposed structure.

- 6.3 The tree protection requirement does not apply to this proposed structure.
- 6.4 The fencing requirement does not apply to this proposed structure.
- 6.5 As the use is a residential accessory structure, the environmental requirement does not apply to this proposed structure.

Conclusion

- 6.1 This criterion is not applicable.

Criterion 7

The Public Works Director has determined that public facilities and utilities are available to serve the proposed development in accordance with Article 12 or will be made available at the time of development.

Findings of Fact

Sanitary Sewer

- 7.1 City utility maps show an eight-inch PVC public sanitary sewer in Gibson Hill Road NW that currently serves the subject property.
- 7.2 The proposed development upon the subject property will not negatively affect the public sanitary sewer system.

Water

- 7.3 City utility maps show a 24-inch DI public water main in Gibson Hill Road NW that currently serves the subject property.
- 7.4 The proposed development will not negatively affect the public water system.

Storm Drainage

- 7.5 City utility maps show no piped public drainage facilities in the right-of-way of Gibson Hill Road NW. Gibson Hill Road has street side ditches for conveying stormwater runoff. Additionally, there is a natural drainage channel running along the northern boundary line. If the new roof drains do not tie into an existing system on site, it may require an Encroachment Permit for a new outfall.
- 7.6 It is the property owner's responsibility to ensure that any proposed grading, fill, excavation, or other site work does not negatively impact drainage patterns to, or from, adjacent properties. In some situations, the applicant may propose private drainage systems to address potential negative impacts to surrounding properties. Private drainage systems that include piping will require the applicant to obtain a plumbing permit from the Building Division prior to construction. In addition, any proposed drainage systems must be shown on the construction drawings. The type of private drainage system, as well as the location and method of connection of the public system must be reviewed and approved by the City of Albany's Engineering Division.
- 7.7 ADC 12.530 states that a development will be approved only where adequate provisions from storm and flood water run-off have been made, as determined by the City Engineer. Roof drains shall be discharged to a collection system approved by the City Engineer. Roof drains shall be discharged to a collection system approved by the City Engineer. Also, no storm water may be discharged to the public sanitary sewer system.
- 7.8 The applicant is required to submit a drainage plan, including support calculations, as defined in the City's Engineering Standards. The applicant is responsible for making provisions to control and/or convey storm drainage runoff originating from, and/or draining to, any proposed development in accordance with all City standards and policies as described in the City's Engineering Standards.
- 7.9 Surface water drainage patterns and proposed storm drainage must be shown on every development proposal plan. Before beginning work, the applicant must submit to the Public Works Engineering Division a storm drainage plan for the site that shows the proposed slope of the lot and how storm drainage will be collected and routed to a public storm drain system. If storm drainpipes are planned, indicate the size and slope of each pipe. The city does not allow sheet flow of storm water across the sidewalk and into the street. The high point on the driveway must be at the property line so that all

on-site drainage is collected within the applicant's property. Also, no storm water (including roof drainage) may be discharged to the sanitary sewer (ADC 12.530).

Conclusions

- 7.1 The proposed development will have no adverse impact on public water, sewer, or storm systems.
- 7.2 The applicant must include a detailed storm drainage plan with building permit submittal. The drainage plan shall show how the roof drains from the proposed structure will be discharged to a location approved by the Engineering Department and Building Division.

Condition

Condition 2: Prior to the issuance of a building permit, the property owner shall include a detailed storm drainage plan for the residential accessory building. The drainage plan shall show how the roof drainage from the proposed structure will be discharged to a point approved by the Engineering Department.

Criterion 8

The Public Works Director has determined that transportation improvements are available to serve the proposed development in accordance with Article 12 or will be available at the time of development.

Findings of Fact

- 8.1 The proposed accessory structure does not require transportation improvements.

Conclusion

- 8.1 This criterion is not applicable.

Criterion 9

The proposed post-construction stormwater quality facilities (private and/or public) can accommodate the proposed development, consistent with Title 12 of the Albany Municipal Code.

Findings of Fact

- 9.1 See Findings under Site Plan Criterion 7 (above) related to stormwater quality standards in response to this review criterion. These findings are incorporated here by reference.

Conclusion

- 9.1 The proposed development will have no impact on the public sanitary sewer and/or water systems.

Criterion 10

The proposal meets all existing conditions of approval for the site or use, as required by prior land use decision(s), as applicable.

Findings of Fact

- 10.1 There are no prior land use decisions on the subject parcel.

Conclusion

- 10.1 This criterion is not applicable.

Criterion 11

Sites that have lost their nonconforming status must be brought into compliance, and may be brought into compliance incrementally in accordance with Section 2.330

Findings of Fact

- 11.1 The subject parcel is a conforming parcel and development.

Conclusion

- 11.1 This criterion is not applicable.

Overall Conclusion

This report evaluates the applicant's application for the proposed residential accessory structure that is a 2,800-square-foot, one-story structure with a wall height of 15 feet and an overall height of 24 feet. The proposed development meets all applicable Site Plan Review criteria when the following condition is met.

Condition of Approval

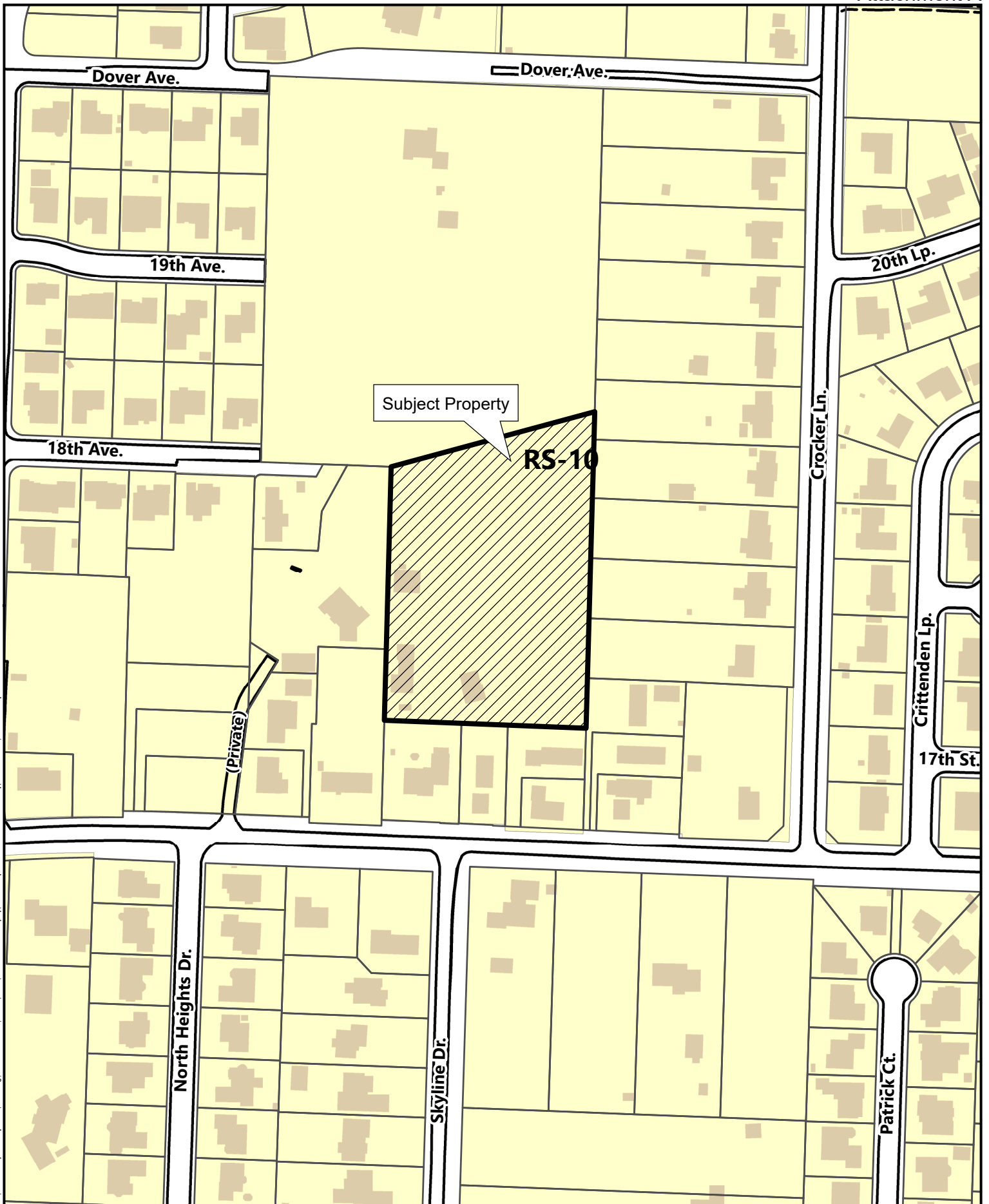
- Condition 1 Prior to the issuance of building permits, a restrictive covenant shall be filed with the deed chain, prohibiting the conversion of the habitable space into an accessory or second detached dwelling unit.
- Condition 2 Prior to the issuance of a building permit, the property owner shall include a detailed storm drainage plan for the residential accessory building. The drainage plan shall show how the roof drainage from the proposed structure will be discharged to a point approved by the Engineering Department.
- Condition 3 Development shall occur consistent with the plans and narrative submitted by the applicant, or as modified by conditions of approval and shall comply with all applicable state, federal, and local laws.

Attachments

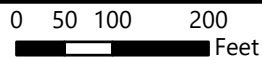
- A. Location Map
- B. Site Plan
- C. Elevation Drawing
- D. Applicant's Compatibility Worksheet

Acronyms

| | |
|-----|-----------------------------|
| ADC | Albany Development Code |
| AMC | Albany Municipal Code |
| RS | Residential Single Dwelling |
| SP | Site Plan Review |



G:\Community Development\Planning\Land Use Cases\2024\Site Plan Review (SP)\SP-11-24\2483 NW Gibson Hill Road\Public Notice\Location Map.mxd



2483 NW Gibson Hill Road

Date: 3/14/2024 Map Source: City of Albany

Location Map

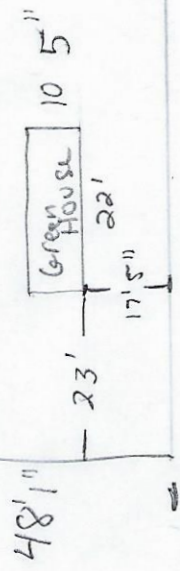
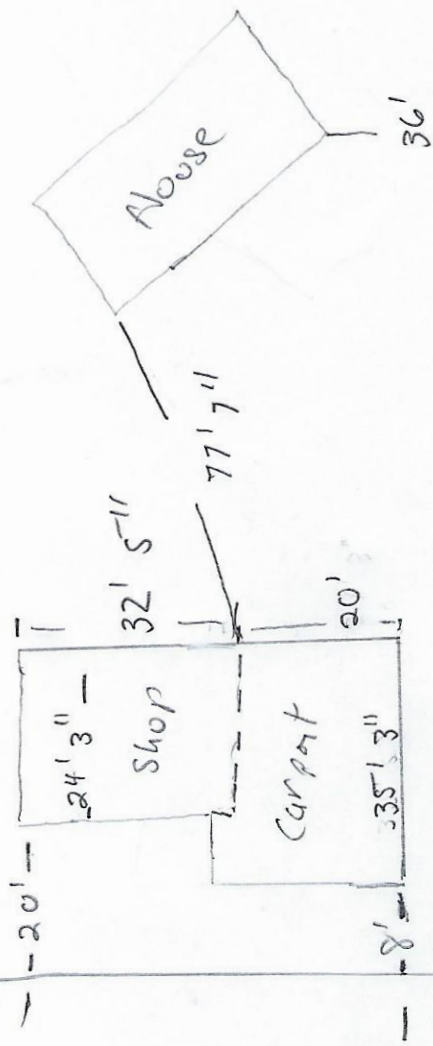
N



Fence line is Bad
 ↳ Best brass

108' 8"

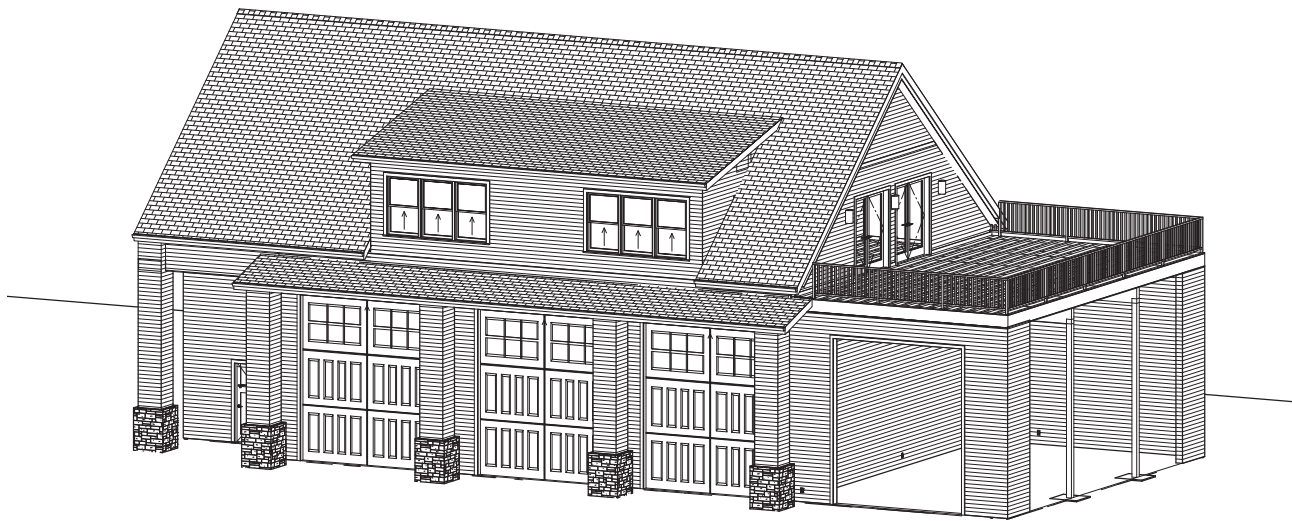
W



48' 1"

199.97'
 106'

20' Driveway



RENDERING
FOR ILLUSTRATION ONLY

GENERAL NOTES:

THIS PLAN SET, COMBINED WITH THE BUILDING CONTRACT, PROVIDES BUILDING DETAILS FOR THE RESIDENTIAL PROJECT. THE CONTRACTOR SHALL VERIFY THAT SITE CONDITIONS ARE CONSISTENT WITH THESE PLANS BEFORE STARTING WORK. WORK NOT SPECIFICALLY DETAILED SHALL BE CONSTRUCTED TO THE SAME QUALITY AS SIMILAR WORK THAT IS DETAILED. ALL WORK SHALL BE DONE IN ACCORDANCE WITH INTERNATIONAL BUILDING CODES AND LOCAL CODES. CONTRACTOR SHALL BE RESPONSIBLE AND BEAR ANY FINES OR PENALTIES FOR CODE, ORDINANCE, REGULATION OR BUILDING PROCESS VIOLATIONS. INSURANCES SHALL BE IN FORCE THROUGHOUT THE DURATION OF THE BUILDING PROJECT.

WRITTEN DIMENSIONS AND SPECIFIC NOTES SHALL TAKE PRECEDENCE OVER SCALED DIMENSIONS AND GENERAL NOTES. THE ENGINEER/DESIGNER SHALL BE CONSULTED FOR CLARIFICATION IF SITE CONDITIONS ARE ENCOUNTERED THAT ARE DIFFERENT THAN SHOWN, IF DISCREPANCIES ARE FOUND IN THE PLANS OR NOTES, OR IF A QUESTION ARISES OVER THE INTENT OF THE PLANS OR NOTES. CONTRACTOR SHALL VERIFY AND IS RESPONSIBLE FOR ALL DIMENSIONS (INCLUDING ROUGH OPENINGS).

ALL TRADES SHALL MAINTAIN A CLEAN WORK SITE AT THE END OF EACH WORK DAY.

PLEASE SEE ADDITIONAL NOTES CALLED OUT ON OTHER SHEETS.

| | | |
|--|------------------------|----|
| OWNER: BRENT & ARLENE WHITNEY | PROJECT SUMMARY | 1 |
| PROJECT: SHOP WITH RECREATION ROOM | CONSTRUCTION NOTES | 2 |
| ADDRESS: 2483 NORTHWEST GIBSON HILL ROAD, ALBANY, OREGON 97321 | ENERGY INFORMATION | 3 |
| LEGAL: 10504N86604800 | SITE PLAN | 4 |
| | FOUNDATION PLAN | 5 |
| | MAIN FLOOR PLAN | 6 |
| | UPPER FLOOR PLAN | 7 |
| | ELEVATIONS - 1 | 8 |
| | ELEVATIONS - 2 | 9 |
| | SECTIONS & DETAILS | 10 |
| | ROOF & FRAMING PLAN | 11 |
| | 2ND FLOOR FRAMING | 12 |
| | ELECTRICAL PLAN | 13 |
| | DOOR & WINDOW SCHEDULE | 14 |
| | SHEER WALL INFO | 15 |

DESIGNER: Ron Care - C2 Design by Ron

SHEET NUMBER
1
11 x 17 SHEET

SCALE: 1/8" = 1'-0"
Monday, February 12, 2024
DRAWN BY:
Ron Care

PROJECT
SUMMARY

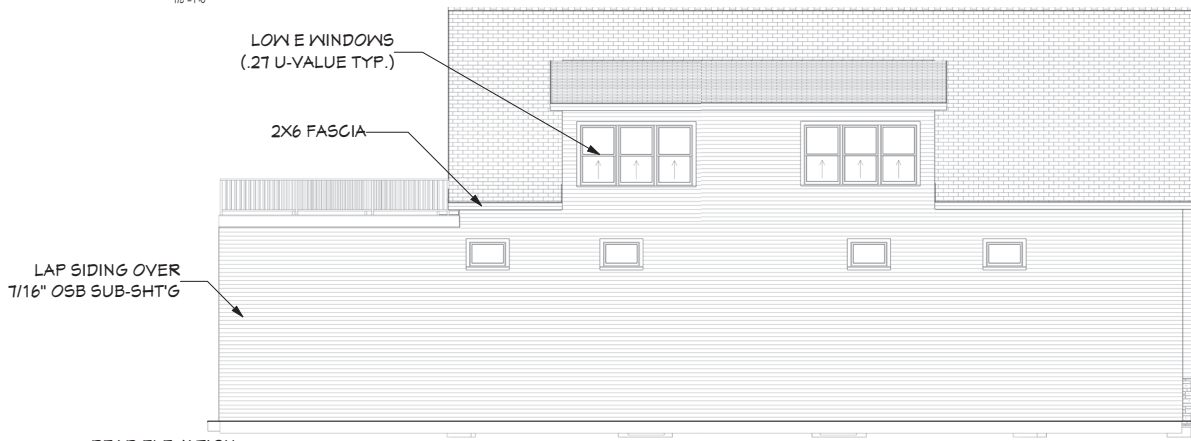
2483 GIBSON HILL RD NW
ALBANY, OREGON 97321
WHITNEY SHOP PLAN

C2 Design by Ron
Ron Care, Oregon 97323
1423 25th Ave SW
Albany, Oregon 97321
Email: c2designbyron@gmail.com
(541) 967-1332 or (541) 979-3337





FRONT ELEVATION
1/8"=1'-0"



REAR ELEVATION
1/8"=1'-0"

SHEET NUMBER
8
11 x 17 SHEET

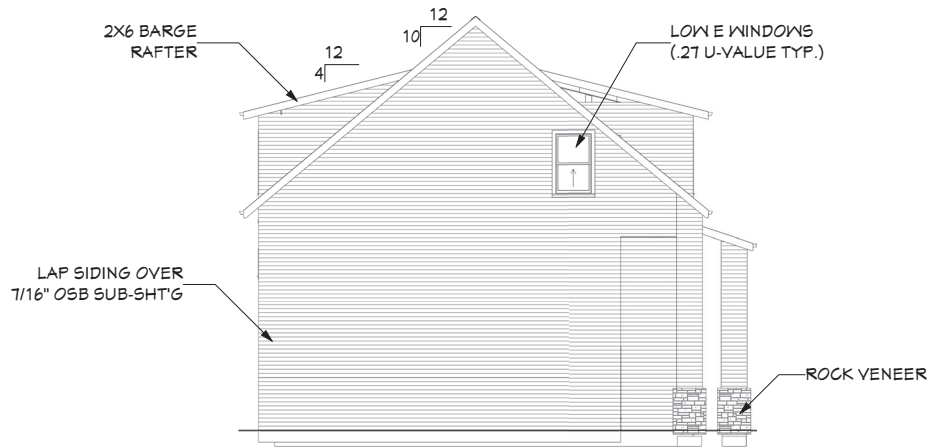
SCALE: 1/8" = 1'-0"
Monday, February 12, 2024
DRAWN BY:
Ron Cary

ELEVATIONS - 1

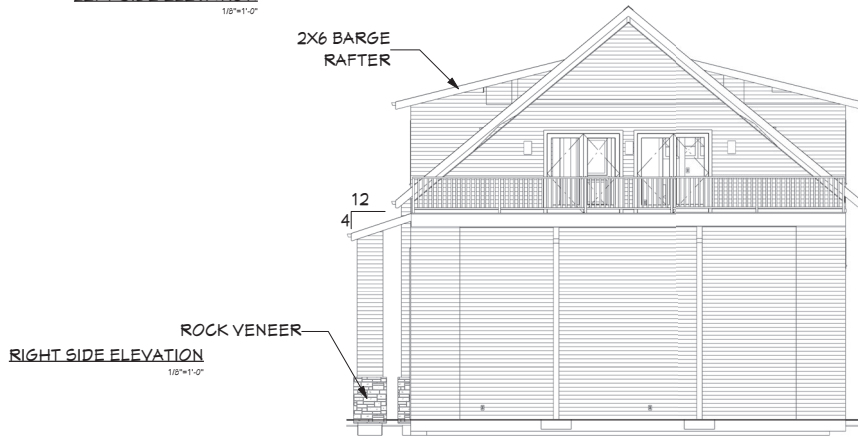
**2483 GIBSON HILL RD NW
ALBANY, OREGON 97321
WHITNEY SHOP PLAN**

C2 Design by Ron
Ron Cary, Oregon 97323
1423 25th Ave SW
(541) 967-1332 or (541) 979-3357 Email: c2designbyron@gmail.com





LEFT SIDE ELEVATION
1/8"=1'-0"



RIGHT SIDE ELEVATION
1/8"=1'-0"

SHEET NUMBER
9
11 x 17 SHEET

SCALE: 1/8" = 1'-0"
Monday, February 12, 2024
DRAWN BY:
Ron Cady

ELEVATIONS - 2

2483 GIBSON HILL RD NW
ALBANY, OREGON 97321
WHITNEY SHOP PLAN

C2 Design by Ron
Ron Cady
1423 25th Ave SW
Albany, Oregon 97321
(541) 967-1332 or (541) 979-3357
Email: c2designbyron@gmail.com





COMMUNITY DEVELOPMENT

333 Broadalbin Street SW, PO Box 490, Albany, Oregon 97321-0144 | BUILDING & PLANNING 541-917-7550

Residential Accessory Structure Compatibility Worksheet

For proposed detached structures 750 sq. ft. or larger and/or with walls taller than 12 feet.

This handout addresses land use planning issues. Building permits are required for any residential accessory structure larger than 200 square feet.

Property Owner (print): _____

Property Address: _____

Assessor's Parcel Map No: _____ Tax Lot(s): _____

Zoning District: _____

Intended Use of the Structure: _____

The Albany Development Code (ADC) allows attached additions to a residence without limiting size or wall height outright; subject to meeting the applicable development standards (see Table 3.190-1).

A detached accessory structure also is allowed outright if it can meet the applicable development standards (see Table 3.230-1) and the total square footage of the proposed structure is less than 750 square feet and the wall height does not exceed 12 feet. If the size were larger or the walls taller, the structure may be allowed without a land use review, if it meets all of the established compatibility thresholds listed below. [ADC 3.080(9)]

Other considerations related to an accessory structure include the location of existing easements, septic tanks, drain fields, wells; access (existing and proposed); and whether trees would be removed (number and diameter of the trunks). You must include information about these items on a site plan drawing submitted with this worksheet.

Don't Forget! To support the information below, attach a scaled drawing of your property showing and labeling the location of all existing and proposed buildings and a scale drawing of each elevation of the proposed building. Include distances (in feet) between all structures and property lines.

Fill in the explanation area after each question below. If you answer "no" to Questions 1, 2, or 3, or "yes" to Questions 4 or 5, the structure will not be considered compatible. Question 6 calls your attention to special construction standards that will apply in all cases if the property is in a Special Purpose District, such as the 100-year floodplain. In addition to answering the questions, you must attach a site plan of the property and elevation drawings of the proposed building to the worksheet.

If the structure cannot meet all the compatibility standards, you may either alter the building to meet them or submit a Site Plan Review Accessory Building application to the Planning Division. This plan review typically takes six to eight weeks to process and requires additional paperwork and a non-refundable review fee. A notice of filing will be sent to property owners within 100 feet of your property giving them an opportunity to comment on the project. Filing an application does not guarantee approval.

Question 1: Will the roof and siding materials and colors on the proposed building be similar to those on the primary residential structure on the site? Yes ___ No ___

- Fill out (a) and (b) to demonstrate this standard would be met:

The building materials and colors of the proposed accessory building will be:

Materials: Siding: _____ Roof: _____

Colors: Siding: _____ Roof: _____

The building materials and colors of the primary residential structure on the property are (or will be as part of this project):



Materials: Siding: _____ Roof: _____

Colors: Siding: _____ Roof: _____

Question 2: If the proposed accessory building were built, would the percentage of lot coverage be similar to or less than the percentage allowed in the applicable zoning district? (See Table 3.190-1) Yes ___ No ___ (you may not exceed the lot coverage threshold by Site Plan Review.)

• Fill out a. through d. to demonstrate this standard would be met:

a. The maximum lot coverage allowed in the _____ zoning district is _____ percent.

Total land area of the property is _____ sq. ft.

The foundation (footprint) size of each building on the property is:

Primary residence: _____ sq. ft.

Proposed building: _____ sq. ft.

Other structures: _____ sq. ft., _____ sq. ft., _____ sq. ft.

Total foundation area of all structures on the property: _____ sq. ft.

Percentage of building coverage on this lot after construction of the proposed accessory building would be _____ percent. (To calculate this percentage, divide the total foundation area of all structures (c) by the total land area of the property (b). This number cannot be larger than (a).)

Question 3: Will the proposed accessory building meet the minimum setback requirements for the primary residential structure? (see Table 3.190-1) Yes ___ No ___

• Fill out a. and b. to demonstrate this standard would be met:

a. The minimum setbacks from property lines for the primary structure in this zone are:

Front: _____ ft. Sides and rear, single-story: _____ ft., or two-story: _____ ft.

The setbacks from the property lines for the proposed accessory building are:

Front: _____ ft. Sides and rear, single-story: _____ ft., or two-story _____ ft.

Question 4: Will the proposed building be taller than the tallest building on adjacent property?

Yes ___ No ___ (Height in this case is measured to the highest point on the structure. "Adjacent" means any property bordering the property on which the accessory structure would be built or across an adjacent street.)

• Fill out a. through c. and attach a drawing showing the location of the tallest building on adjacent property in relation to your property.

a. The total height of the proposed accessory building is _____ feet.

b. The wall height of the proposed accessory building is _____ feet.

c. The height of the tallest building on adjacent property is _____ feet, and it is located at (address) _____ .

Question 5: Will the area of the proposed building's foundation be larger than the area of the foundation of the largest building on adjacent property? Yes ___ No ___

• Fill out a. and b. to demonstrate this standard would be met:

a. The area of the proposed accessory building's foundation is _____ sq. ft.

The area of the foundation of the largest building on adjacent property is _____ sq. ft.

(include attached garages). The address of this building is _____ ;

currently occupied by Mr./Ms. _____ , phone _____

Question 6: Is this property located in any of the following Special Purpose Districts listed in Articles 6 and 7 of the Development Code? Yes ____ No ____ (The text of the Albany Development Code is on the City’s website: www.cityofalbany.net/cd/development-code)

Check the district(s) that apply to this property.

- Airport Approach District (Near the Albany Municipal Airport located east of the I-5 freeway)
- Floodplain District (Property is located within a 100-year floodplain)
- Hillside Development District (Property has slopes greater than 12 percent)
- Historic District (Monteith, Hackleman, or Downtown districts)
- Willamette Greenway (Property is located near the Willamette River)

If the property is in one of the special districts, have you researched the construction regulations of the special district and determined that the proposed building can meet the standards of the district(s)? Yes ___ No ___
(Regardless of approval to allow an oversized accessory structure, you must be able to construct the proposed building in accordance with the regulations of the applicable special district.)

Property Owner’s Signature **Date**

Print Property Owner's Name **Daytime Phone**

E-mail address

TABLE 3.190-1

RESIDENTIAL DISTRICT DEVELOPMENT STANDARDS

| STANDARD | RR | RS-10 | RS-6.5 | HM | RS-5 | RM | RMA | HDR |
|--|--------------|-----------|-----------|-----------|-----------|---------------|------------------------------|--------------------------|
| Minimum Property Size or Land Requirements by Unit Type (1)(18) | | | | | | | | |
| Single dwelling unit detached (SDU) and Duplex (1) | 5 acres (15) | 10,000 sf | 6,500 sf | 5,000 sf | 5,000 sf | 3,500 sf | SDU: N/A Duplex: 3,500 sf | SDU: N/A Duplex: None |
| Townhouse (1)(16)(19)(20) | 1,500 sf | 1,500 sf | 1,500 sf | 1,500 sf | 1,500 sf | 1,500 sf | 1,500 sf | None (20) |
| Two primary detached units on one property (1) | N/A | N/A | N/A | 7,000 sf | N/A | 3,500 sf | 3,500 sf | N/A |
| Triplex (16)(20) | 5 acres | 10,000 sf | 6,500 sf | 5,000 sf | 5,000 sf | 5,000 sf | 5,000 sf | None (20) |
| Fourplex (16)(20) | 5 acres | 10,000 sf | 7,000 sf | 7,000 sf | 7,000 sf | 7,000 sf | 7,000 sf (17) | None (20) |
| Cottage Cluster (16)(20) | 5 acres | 10,000 sf | 7,000 sf | 7,000 sf | 7,000 sf | 7,000 sf | 7,000 sf | None (20) |
| Multiple-dwelling unit, Studio and 1-bedroom units (1)(20) | N/A | N/A | N/A | N/A | N/A | 2,000 sf/unit | 1,500 sf/unit | None (20) |
| 2-and 3-bedroom units (1)(20) | N/A | N/A | N/A | N/A | N/A | 2,400 sf/unit | 1,800 sf/unit | None (20) |
| 4+ bedroom units (1)(20) | N/A | N/A | N/A | N/A | N/A | 3,000 sf/unit | 2,200 sf/unit | None (20) |
| Minimum Lot Widths: (18) | | | | | | | | |
| Townhouse | 20 ft | 20 ft | 20 ft | 20 ft | 20 ft | 20 ft | 20 ft | None |
| All other uses | N/A | 65 ft | 50 ft | 35 ft | 40 ft | 30ft | None | None |
| Residential Density (20): | | | | | | | | |
| Minimum Density (units per gross acre) | None | None | None | None | None | None | None | 25 |
| Maximum Density (units per gross acre) | (20) | (20) | (20) | (20) | (20) | 25 (20) | 35 | 50 |
| Setbacks (4)(18): | | | | | | | | |
| Minimum Front (4) | 20 ft | 20 ft | 15 ft | 15 ft | 15 ft | 15 ft | 12 ft | 10 ft |
| Maximum Front Setback | None | None | None | None | None | (14) | (14) | (14) |
| Minimum Interior: single-story (4) | 5 ft | 5 ft | 5 ft | 5 ft | 5 ft | 10 ft (5) | 10 ft (5) | 10 ft (5) |
| Minimum Interior: two or more stories (4) | 8 ft | 8 ft | 8 ft | 6 ft | 6 ft | 10 ft (5)(6) | 10 ft (5)(6) | 10 ft (5) |
| Minimum Building Separation | (12) | (12) | (12) | (12) | (12) | (12) | (12) | (12) |
| Min. Garage or carport vehicle entrance (10) | 20 ft | 20 ft | 20 ft (7) | 20 ft (7) | 20 ft (7) | 20 ft (7) | 20 ft (7) | 20 ft (7) |
| Maximum Height (8) | 30 ft | 30 ft | 30 ft | 30 ft | 30 ft | 45 ft | 60 ft | 75 ft |
| Maximum Lot Coverage (9)(18) | 20% (11) | 50% | 60% | 60% | 60% | 70% | 70% | 75% |
| Minimum Open Space | N/A | N/A | N/A | N/A | N/A | (13) | (13) | (13) |
| Min. Landscaped Area (18) | None | (2) | (2) | (2) | (2) | (3) | (3) | (3) |

N/A means not applicable.

- (1) Section 3.220 bonus provisions may reduce minimum lot size and area, such as alley access.
- (2) All yards adjacent to streets.
- (3) All yards adjacent to streets plus required open space.
- (4) Additional setbacks may be required, see Sections 3.230-3.330 and the buffer matrix at 9.210; exceptions to

Setbacks for Accessibility Retrofits are in Section 3.263; Zero-Lot Line standards are in Sections 2.365 and 2.370; Setbacks for cottage clusters are in Section 3.192.

- (5) Except for single-family homes or middle housing, which must have a minimum setback of 3 feet for one-story dwellings and 5 feet for two-story dwellings.
- (6) More than 3 stories = 10 feet plus 3 feet for each story over 3 per unit requirements. Multiple-family developments must also meet the setbacks in Section 8.270(3).
- (7) Garage front setback for non-vehicle-entrance = 15 feet, except in RR and RS-10 zoning districts where the setback shall be 20 feet.
- (8) See exceptions to height restrictions, Section 3.340; Maximum height for cottage clusters is in Section 3.192.
- (9) Lot coverage for single-family detached and middle housing development shall only include the area of the lot covered by buildings or structures; Lot coverage for townhouses is calculated based on the overall townhouses project, rather than each townhouse lot; Cottage clusters are exempt from maximum lot coverage standards.
- (10) See Table 3.230-1 for garages with alley access.
- (11) Maximum lot coverage for parcels 20,000 square feet or less is 50%. The configuration of any development on a lot 20,000 square feet in size, or less, in an RR zoning district that covers more than 20 percent of the parcel on which it is proposed, should be located such that it does not preclude a later division of the parcel.
- (12) The minimum separation between multi-family buildings on a single parcel shall be 10 feet for single-story buildings and 20 feet for two-story or taller buildings; Minimum building separation for cottage clusters is in Section 3.192.
- (13) Ten or more units require open space. See Section 8.220.
- (14) See Section 8.240 for standards.
- (15) A property line adjustment between two existing RR properties may be allowed as long as no new lots are created, and the resulting properties are at least 20,000 square feet and approval of a septic system has been obtained by Benton County.
- (16) Triplexes, fourplexes, townhouses, and cottage clusters are not permitted on lots that are nonconforming with respect to the minimum lot size applicable to that housing type within the zoning districts (see ADC 2.320).
- (17) In RMA, a fourplex with one or more studio or 1-bedroom units shall meet the minimum lot size standards for multi-family development, except in no case shall the minimum lot size required for a fourplex exceed 7,000 square feet.
- (18) If a duplex, triplex, fourplex, or cottage cluster has been divided by a middle housing land division, the development standards that are applicable to the lot shall apply to the middle housing parent lot, not to the middle housing child lots.
- (19) The minimum property size for townhouses specified in Table 3.190-1 is the minimum allowable size for an individual townhouse lot; the number of units permitted on a given site (i.e., the maximum density) is established in accordance with subsection 3.191(1).
- (20) Lot sizes in the HDR zone are controlled by the allowed density range of 25 units to 50 units per gross acre. Maximum density for the RR, RS-10, RS-6.5, HM, and RS-5 District is controlled by minimum lot size requirements for each zone. Except for townhouses, middle housing development is not subject to maximum density requirements in the RM District.

TABLE 3.230-1

| ACCESSORY STRUCTURE STANDARDS | |
|--|--|
| STRUCTURE | STANDARD |
| All Accessory Structures | Front setback, see Table 3.190-1, by zone if not noted below |
| Detached Structure walls less than or equal to 8 feet tall (2) | Interior setback = 3 feet (1)(3) |
| Attached Structure | Interior setback = 5 feet (1) |
| Detached Structure walls greater than 8 feet tall (2) | Interior setback = 5 feet |
| Garage or carport with vehicular access from an alley | Alley setback = 20 feet, less the width of the alley |

| ACCESSORY STRUCTURE STANDARDS | |
|---|--|
| | right-of-way, but at least 3 feet. Other interior setbacks=see Table 3.190-1 |
| Structures, including fences, intended for housing animals | See AMC 6.10.020 |
| All fences, see 9.360 through 9.380 Fences greater than 6 feet tall | Fences over 6 feet tall must meet setbacks in Table 3.190-1, by zone, except when permitted along property lines in Sections 9.370(4)(d) and 9.380(3). |
| Outdoor swimming pools with depths greater than or equal to 24 inches | Interior setback = 10 feet |
| Decks less than or equal to 30 inches from grade, with no rails or covers | No setback from property lines |
| Decks greater than 30 inches from grade | Interior setback = 5 feet |

- (1) Zero-lot line provisions are in Sections 3.265 and 3.270.
- (2) The slab or foundation of accessory structures is not included in the wall height unless it is greater than 24-inches from the ground.
- (3) Accessory Structures up to 200 square feet or less that are exempt from building permit requirements under the Oregon Residential Specialty Code and no habitable may have a reduced interior setback of 2 feet with a roof overhang no more than 12 inches.