



## COMMUNITY DEVELOPMENT

333 Broadalbin Street SW, PO Box 490, Albany, Oregon 97321-0144 | BUILDING 541-917-7553 | PLANNING 541-917-7550

# Staff Report

## Site Plan Review

SP-05-20

May 6, 2020

### Application Information

Proposal:	To construct a new 1,080 square foot residential accessory structure
Review Body:	Staff (Type I-L review)
Applicant/Property Owner:	James Cahill; 2220 17th Avenue SW, Albany, OR 97321
Address/Location	2220 17th Avenue SW, Albany, OR 97321
Map/Tax Lot:	Linn County Assessor's Map No. 11S-04W-12; Tax Lot 2100
Zoning:	Residential Single Family (RS-6.5)
Overlay Districts:	Significant Wetland, Floodplain
Total Land Area:	.93 acres
Existing Land Use:	Single-family residence
Neighborhood:	Broadway
Surrounding Zoning	North: Residential Single Family (RS-6.5) District East: Residential Single Family (RS-6.5) District South: Residential Single Family (RS-6.5) District West: Residential Single Family (RS-6.5) District
Surrounding Uses:	North: Single-family residence East: Single-family residence South: BPA Transmission Lines West: Railway

### Summary

The application is for Site Plan Review of a residential accessory structure on developed property addressed 2220 17th Avenue SW. The structure is 1,080 square feet (30 feet x 36 feet) with a wall height of 18 feet and an overall height of approximately 25 feet (Attachment B). The proposed structure utilizes light grey and blue metal siding and black metal roofing.

The property is zoned Residential Single Family, RS-6.5. 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-6.5 zone if they meet compatibility standards in Section 3.080(9) of the Albany Development Code (ADC). The application materials

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demonstrate that the proposed accessory structure satisfies applicable RS-6.5 district development standards, such as those relating to setbacks, lot coverage, and maximum building height. However, the proposed structure does not meet compatibility standard ADC 3.080(9)(3) regarding building material compatibility. More specifically, the proposed metal siding is not the same material as the HardiePlank siding used for the primary structure.

Because the proposal does not meet these compatibility standards, Site Plan Review is required. Therefore, this report evaluates the proposal 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 are met.

## Notice Information

A Notice of Filing was mailed to property owners located within 100 feet of the subject property on April 8, 2020. At the time the comment period ended on April 22, 2020, the Albany Planning Division had received no comments.

## 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

**Public utilities can accommodate the proposed development.**

#### Findings of Fact

##### *Sanitary Sewer*

- 1.1 City utility maps show an eight-inch public sanitary sewer main along the rear (south) lot lines of the parcels to the east of the subject property. The existing dwelling on the site is currently connected to this public sewer main through a lateral that crosses the adjacent lot to the east.

##### *Water*

- 1.2 City utility maps show a six-inch public water main in 17th Avenue and Bonnie Street. The existing dwelling on the site is currently connected to the public water system.

##### *Storm Drainage*

- 1.3 City utility maps show no public storm drainage facilities in this area. Bonnie Street and 17th Avenue are not improved to City standards and have no curb, gutter, or storm drainage facilities.
- 1.4 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 to the public system must be reviewed and approved by the City Engineer and Building Official.

- 1.5 The applicant's preliminary plan shows roof drainage being discharged to the south across the property line. Discharging roof drainage to an adjacent property may not be allowed. Any roof drainage must be routed to a collection system approved by the City's Building Official.

## Conclusions

- 1.1 The existing building on the site is connected to the public sewer and water systems.
- 1.2 No water or sewer service is being proposed to the new structure.
- 1.3 The applicant must accommodate roof drainage from the proposed structure according to building code requirements.
- 1.4 This criterion is met without conditions.

## Criterion 2

**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 (AMC).**

### Findings of Fact

- 2.1 AMC 12.45.030 states that a post-construction stormwater quality permit shall be obtained for all new development and/or redevelopment projects on a parcel(s) equal to or greater than one acre, including all phases of the development. (Ord. 5841 § 3, 2014).
- 2.2 The size of the subject property is less than one acre; therefore, no stormwater quality facilities will be required for this project.

## Conclusions

- 2.1 No stormwater quality facilities are required for this project.
- 2.2 This criterion is not applicable.

## Criterion 3

**The transportation system can safely and adequately accommodate the proposed development.**

### Findings of Fact

- 3.1 The proposed accessory building will be constructed on property that is located southwest of the corner where 17th Avenue becomes Bonnie Street (Attachment A). Access to the accessory structure is via an existing driveway. No changes are proposed to the access.
- 3.2 17th Avenue and Bonnie Street are classified as local streets and are not improved to City standards. The street is paved to a width of approximately 20 feet. There are no other improvements.
- 3.3 Trip generation for single-family residential development is based on the number of dwelling units. This accessory building will not increase the number of dwelling units located on the site.
- 3.4 Albany's Transportation System Plan (TSP) does not identify any level of service or safety problems along the frontage of the site.
- 3.5 The City does not require street improvements with the addition of an accessory structure.

## Conclusions

- 3.1 Because no additional dwelling units are proposed as part of this review, an increase in vehicle trip generation is not anticipated.

3.2 This review criterion is met without conditions.

## Criterion 4

**Parking areas and entrance-exit points are designed to facilitate traffic and pedestrian safety and avoid congestion.**

### Findings of Fact

- 4.1 The subject property is accessed via an existing driveway from 17th Avenue. No changes are proposed to this access.
- 4.2 ADC 12.100(1) requires that approaches and driveways to City streets and alleys must comply with the City's Standard Construction Specifications, which require, in part, that driveways be paved at least 20 feet as measured from the right of way line (i.e. property line). The existing driveway is gravel. Therefore, this standard is not met.
- 4.3 The ADC does not specify a parking requirement for residential accessory structures except for accessory dwelling units.
- 4.4 ADC 3.250 states that "required parking spaces, driveways or travel aisles for residential development shall not be located in a required front or interior setback except that circular driveways providing drop-off service to the front door and driveways providing access to garages and carports or driveways that serve as required parking for any residential development may be used to fulfill the requirements." Based on the applicant's site plan and aerial photos, it appears the existing driveway encroaches into the five-foot interior setback along the northern property line. Because the driveway provides access to a garage, the intrusion into the interior setback is permitted.
- 4.5 ADC 12.100(2) regards required driveway widths at the point of the public right of way. The existing driveway width could not be determined. Driveways for single-family dwellings must have a minimum width of 10 feet and a maximum width of 24 feet.
- 4.6 ADC 12.100(3) requires driveways to be located as far as practical from a street intersection and that in no instance shall the distance from the intersection of a local street be less than 10 feet. The existing driveway is located more than 200 feet from the nearest intersection at 17th Avenue and Crittenden Street. This standard is met.
- 4.7 ADC 12.100(4) – (11) regards standards that are not applicable to this application, such as access to an arterial street, commercial developments, and shared access points.

## Conclusions

- 4.1 Access to the site is via an existing, unpaved driveway with an unknown width.
- 4.2 Because the driveway provides access to a garage, it may encroach into the interior setback.
- 4.3 This review criterion is met with the following condition.

## Condition

- Condition 1 Prior to final building inspection, the driveway must be paved at least 20 feet back from the existing edge of pavement along the west side of 17th Avenue. The width of the driveway must be between 10 feet and 24 feet at the point of the public right-of-way.

## Criterion 5

**The design and operating characteristics of the proposed development are reasonably compatible with surrounding development and land uses, and any negative impacts have been sufficiently minimized.**

## Findings of Fact

- 5.1 Residential accessory structures not meeting compatibility standards require Site Plan Review. The proposed structure does not meet compatibility standard ADC 3.080(9)(e) regarding building material compatibility. More specifically, the proposed metal siding is not the same material as the primary structure's HardiePlank siding. Therefore, site plan approval is required.
- 5.2 Properties adjoining 17th Avenue and Bonnie Street at this location are entirely residential and mostly consist of one- and two-story stick-built houses. Most of the developed residential properties have detached accessory structures of varying sizes, include abutting properties to the north and east.
- 5.3 The primary structure has light grey HardiePlank siding and a black composite roof. The applicant's Residential Accessory Structure Compatibility Worksheet (Attachment B) indicates that the proposed accessory structure will have light grey and blue metal siding with a black metal roof. Based on views from the public right of way, other accessory structures on 17th Avenue and Bonnie Street utilize a variety of siding and roofing materials.
- 5.4 The proposed accessory structure will be 18 feet tall at the wall eave with an overall height of approximately 25 feet at the peak of the roof. The applicant's Residential Accessory Compatibility Worksheet indicates that the tallest building on adjacent property is an estimated 30 feet. That building is located at 1640 Bonnie Street, immediately north of the subject property. Thus, the height of the proposed accessory structure is reasonably compatible and similar to the height of the structure on the abutting parcel.
- 5.5 The proposed accessory structure is 1,080 square feet (30 feet x 36 feet) with a wall height of 18 feet and an overall height of approximately 25 feet (Attachment B). According to the applicant's Residential Accessory Structure Compatibility Worksheet and Linn County Assessor records, the foundation size of the largest building on adjacent property is 2,254 square feet and is located at 1640 Bonnie Street. The foundation size of the proposed structure is less than the foundation size of the largest building on the adjacent property.
- 5.6 Maximum lot coverage for parcels zoned RS-6.5 is 60 percent. Lot coverage for single-family, detached development shall only include the area of the lot covered by buildings and structures. According to the applicant's Residential Compatibility Worksheet, the foundation area of the primary structure is 1,716 square feet. When combined with the proposed 1,080-square-foot accessory structure, the two structures will cover an area of 2,796 square feet. The lot is .93 acres (40,510 square feet). This equates to a lot coverage of approximately eight percent, well below the 60 percent threshold.
- 5.7 The RS-6.5 zone has a minimum front setback of 15 feet and garages must be set back at least 20 feet from the front property line. The applicant's site plan (Attachment B) indicates that the accessory structure is at least 20 feet from the front lot line. Aerial data confirms the front setback standard is met.
- 5.8 Per ADC 3.230, Table 2, detached accessory structures with walls greater than eight feet require an interior setback of five feet. The applicant's site plan indicates the accessory structure is at least six feet from the interior lot line (Attachment B).

## Conclusions

- 5.1 Residential accessory structures not meeting compatibility standards require Site Plan Review.
- 5.2 The proposal meets the development standards for the RS-6.5 zone regarding maximum height, lot coverage, and front setback.
- 5.3 The design and operating characteristics of the proposed development are reasonably compatible with surrounding development and land uses.

- 5.4 The proposed structure is of a similar height as the tallest building on an adjacent property.
- 5.5 The proposed accessory structure has a foundation area that is less than the foundation area of the largest adjacent building.
- 5.6 This criterion is met with the following condition.

### Conditions

- Condition 2 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.

### Criterion 6

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

### Findings of Fact and Conclusions

- 6.1 *Article 4 Airport Approach district:* According to Figure 4-1 of the ADC, the subject property is located within the Airport Approach District. The subject property is not situated within the Airport Approach District. This standard is met.
- 6.2 *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 district.
- 6.3 *Article 6 Floodplains, Comprehensive Plan Plate 5:* Article 6 Floodplains, Comprehensive Plan Plate 5, shows a portion of the subject property is within the 100-year floodplain. FEMA/FIRM Community Panel No. 41043C0218G, dated September 29, 2010. The development is proposed on a portion of the subject property situated outside of the floodplain area.
- 6.4 *Article 6 Wetlands, Comprehensive Plan Plate 6:* Indicates a significant wetland is situated along the southern property line of the subject site. Staff submitted a Wetland Land Use Notification to the Department of State Lands (DSL). DSL responded with no concerns for the proposed development.
- 6.5 *Article 7 Historic Districts, Comprehensive Plan Plate 9:* shows the subject property is not located in a historic district. There are no known archaeological sites on the property.

### Conclusions

- 6.1 The proposed development is not within the portion of the property within the floodplain.
- 6.2 The proposed development will not impact nearby significant wetlands.
- 6.3 The subject property is not located in a Special Purpose District
- 6.4 This criterion is met.

### Criterion 7

**The site is in compliance with prior land use approvals.**

### Findings of Fact and Conclusions

- 7.1 The subject property is not subject to a prior land use approval.
- 7.2 This criterion is not applicable.

## Criterion 8

**Sites that have lost their nonconforming status must be brought into compliance and may be brought into compliance incrementally in accordance with Section 2.370.**

### Findings of Fact and Conclusions

- 8.1 Single-family residential use and accessory buildings are permitted uses in the RS-6.5 zone. The site and proposed use are not considered nonconforming.
- 8.2 This criterion is not applicable.

## Overall Conclusion

As proposed and conditioned, the application for Site Plan Review to construct a 1,080-square-foot accessory structure with an overall height of 25 feet, satisfies all applicable review criteria as outlined in this report once all conditions of approval are met.

## Overall Conditions

- Condition 1** Prior to final building inspection, the driveway must be paved at least 20 feet back from the existing edge of pavement along the west side of 17th Avenue. The width of the driveway must be between 10 feet and 24 feet at the point of the public right-of-way.
- Condition 2** 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 Applicant's Submittals
  1. Site Plan
  2. Accessory Structure Compatibility Worksheet

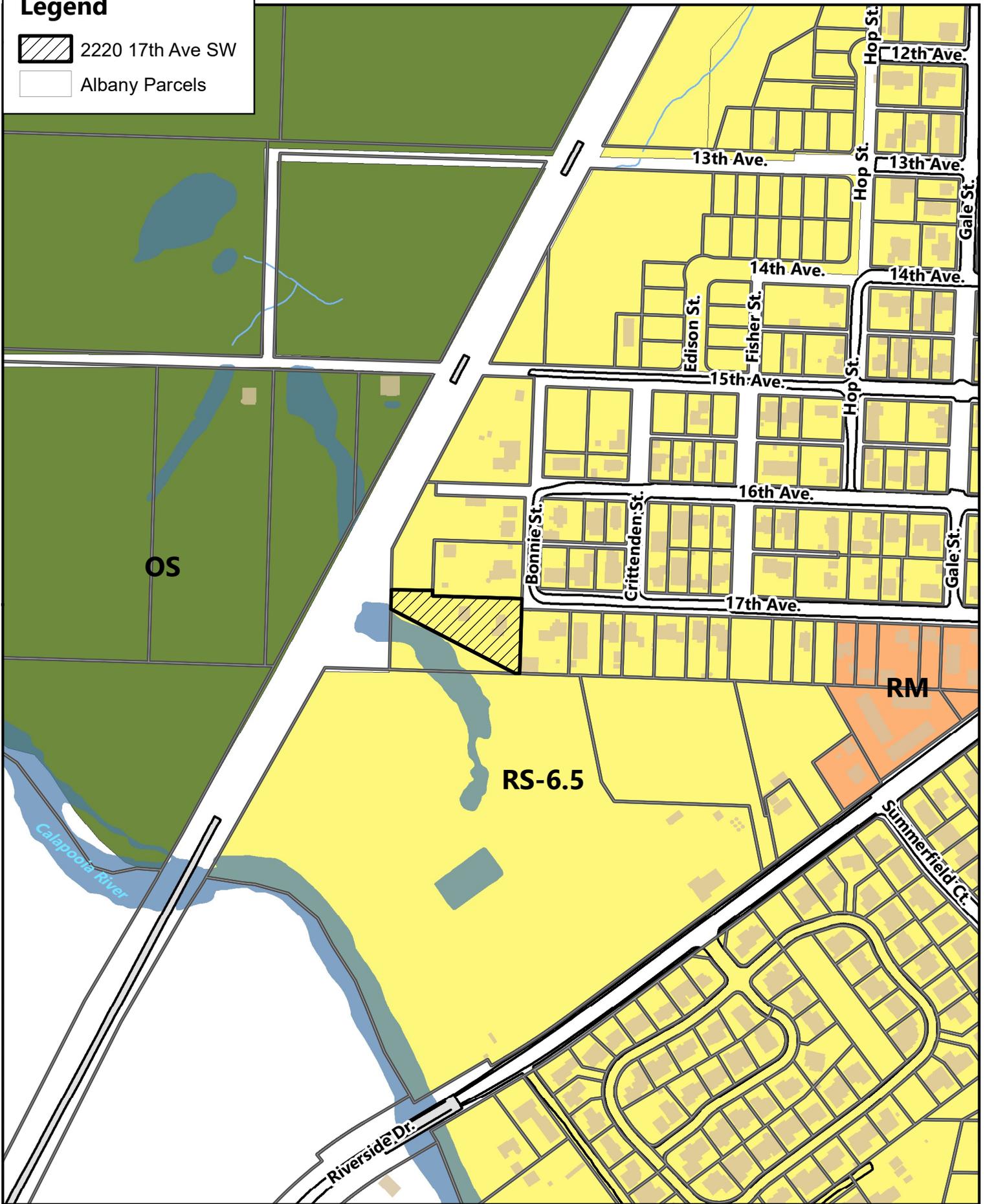
## Acronyms

ADC	Albany Development Code
DSL	Oregon Department of State Lands
FEMA	Federal Emergency Management Agency
FIRM	Flood Insurance Rate Map
RS-6.5	Residential Single-Family Zoning District
SP	Site Plan Review (File Designation)
TSP	Albany's Transportation System Plan

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# Legend

-  2220 17th Ave SW
-  Albany Parcels



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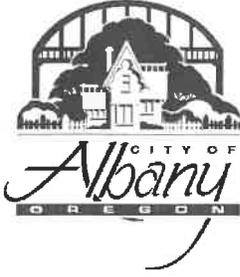


Date: 3/5/2020 Map Source: City of Albany

## 2220 17th Ave SW

### Location / Zoning Map

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COMMUNITY DEVELOPMENT DEPARTMENT

Planning Division  
P.O. Box 490  
333 Broadalbin Street SW  
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# Residential Accessory Structure Compatibility Worksheet

For proposed detached structures 750 sq. ft. or larger and/or with walls taller than 11 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): James Cahill  
Property Address: 2220 17th Ave. SW, Albany, OR 97321  
Assessor's Parcel Map No: 11S04W12 Tax Lot(s): 2100  
Zoning District: RS-6.5  
Intended Use of the Structure: Garage/Shop

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

A **detached** accessory structure also is allowed outright if it can meet the applicable development standards (see Table 2) and the total square footage of the proposed structure is **less than** 750 square feet and the wall height does not exceed 11 feet. If the size would be 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. [Albany Development Code 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 scale 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 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 located 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 of 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 6 to 8 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 the same as those on the primary residential structure on the site? Yes \_\_\_ No<sup>x</sup>\_\_\_

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

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

Materials: Siding: metal Roof: metal  
Colors: Siding: light gray/blue Roof: black

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

Materials: Siding: Hardie Plank Roof: Composite  
Colors: Siding: light gray Roof: black

**Question #2:** If the proposed accessory building were built, would the percentage of lot coverage be the same as or less than the percentage allowed in the applicable zoning district? (See Table 1) Yes<sup>x</sup>\_\_\_ 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 RS-6.5 zoning district is 50 percent.

b) Total land area of the property is 40,510 sq. ft.

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

Primary residence: 1716 sq. ft.

Proposed building: 1080 sq. ft.

Other structures: 0 sq. ft., 0 sq. ft., 0 sq. ft.

Total foundation area of all structures on the property: 2796 sq. ft.

d) Percentage of building coverage on this lot after construction of the proposed accessory building would be 7 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 1) Yes<sup>x</sup>\_\_\_ 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: 15 ft. Sides and rear, single-story: NA ft., or two-story: 5 ft.

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

Front: 110 ft. Sides and rear, single-story: NA ft., or two-story: 8 ft.

**Question #4:** Will the proposed building be taller than the tallest building on adjacent property? Yes \_\_\_\_\_ No X (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 25 feet.
- b) The wall height of the proposed accessory building is 18 feet.
- c) The height of the tallest building on adjacent property is 30 (estimated) feet, and it is located at (address) 1640 Bonnie St. SW, Albany OR

**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 X

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

- a) The area of the proposed accessory building's foundation is ~~1200~~ 1080 sq. ft.
- b) The area of the foundation of the largest building on adjacent property is 2254 sq. ft. (include attached garages). The address of this building is 1640 Bonnie St. SW, Albany OR; currently occupied by Mr./Ms. Denise Wheeler, phone 541.905.3848

**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 X No \_\_\_\_\_ (The text of the Albany Development Code is on the City's website: [www.cityofalbanynet.net](http://www.cityofalbanynet.net))

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%)
- 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

2/25/20

Date

JAMES CAHILL  
\_\_\_\_\_  
Print Property Owner's Name

541.497.3416

Daytime Phone

redbrained@comcast.net

Fax No. or e-mail address

**TABLE 1 [ADC Article 3]**

<b>RESIDENTIAL DISTRICT DEVELOPMENT STANDARDS</b>							
<b>STANDARD</b>	<b>RR</b>	<b>RS-10</b>	<b>RS-6.5</b>	<b>HM</b>	<b>RS-5</b>	<b>RM</b>	<b>RMA</b>
<b>Minimum Property Size or Land Requirements by Unit Type(1)</b>							
Single-family detached, (1)	5 acres (16)	10,000 sf	6,500 sf	5,000 sf	5,000 sf	3,500 sf	N/A
Single-family, attached (14)(1)	N/A	N/A	N/A	N/A	2,800 sf	2,400 sf	1,800 sf
Duplex (1)	N/A	14,000 sf Corner lot	8,000 sf Corner lot	N/A	7,000 sf Corner lot	4,800 sf	3,600 sf
Multi-family, Studio and 1-bedroom units	N/A	N/A	N/A	N/A	N/A	2,000 sf/ unit	1,500 sf/ unit
2-and 3 bedroom units	N/A	N/A	N/A	N/A	N/A	2,400 sf/ unit	1,800 sf/ unit
4+ bedroom units	N/A	N/A	N/A	N/A	N/A	3,000 sf/ unit	2,200 sf/ unit
Minimum Lot Widths: Detached S-F Attached Units	N/A N/A	65 ft N/A	50 ft N/A	35 ft N/A	40 ft 20 ft	30ft 20 ft	None None
Minimum Lot Depth	N/A	100 ft	80 ft	65 ft	70 ft	60 ft	None
<b>Setbacks (4):</b>							
Minimum Front (4)	20 ft	20 ft	15 ft	15 ft	15 ft	15 ft	12 ft
Maximum Front Setback	None	None	None	None	None	(14)	(14)
Minimum Interior: single-story (4)	5 ft	5 ft	5 ft	5 ft	5 ft	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)
Minimum Building Separation	N/A	N/A	N/A	N/A	(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)
Maximum Height (8)	30 ft	30 ft	30 ft	30 ft	30 ft	45 ft	60 ft (15)
Maximum Lot Coverage (9)	20%(11)	50%	60%	60%	60%	70%	70%
Minimum Open Space	N/A	N/A	N/A	N/A	N/A	(13)	(13)
Min. Landscaped Area	None	(2)	(2)	(2)	(2)	(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.
- (5) Except for single-family homes (attached and detached) or duplexes, 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(1).
- (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.
  - (9) Lot coverage for single-family detached development shall only include the area of the lot covered by buildings or structures.
  - (10) See Table 2 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.
  - (13) Ten or more units require open space. See Section 8.220.
  - (14) See Section 8.240 for standards.
  - (15) When multiple-family developments about a single-family use or zone, the setback shall be one foot for each foot of building height. See Section 8.270(1).
  - (16) 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.
- [Table and footnotes amended by Ord. 5281, 3/26/97; Ord. 5338, 1/28/98; Ord. 5445, 4/12/00; Ord. 5555, 2/7/03; Ord. 5673, 6/27/07, Ord. 5768, 12/7/11; Ord. 5832, 4/9/14]

**TABLE 2 [ADC Article 3]**

<b>ACCESSORY STRUCTURE STANDARDS</b>	
<b>STRUCTURE</b>	<b>STANDARD</b>
All Accessory Structures	Front setback, see Table 1, by zone if not noted below
Detached Structure walls less than or equal to 8 feet tall (2)	Interior setback = 3 feet (1)
Attached Structure	Interior setback = 5 feet (1)
Detached Structure walls greater than 8 feet tall (2)	Interior setback = 5 feet
Accessory Apartment Building	Front setback is equal or greater than primary residence Interior setback, one-story = 5 feet (1) Interior setback, two-story = 8 feet (1)
Garage or carport with access to an alley	Alley setback = 20 feet, less the width of the alley right-of-way, but at least 3 feet. Other interior setbacks=see Table 1
Structures, including fences, intended for housing animals	Interior setback = 10 feet
Fences greater than 6 feet tall	See Table 1, by zone; building permit required.
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.

[Table and footnotes modified by Ord. 5673, 6/27/2007 and Ord. 5832, 4/9/14]