1. **LOGIN INFORMATION TO ATTEND VIA ZOOM**

   **Join Zoom Meeting**
   
   https://us02web.zoom.us/j/88209429310?pwd=dGtDMzhRZ2dYNHIYK29TOE5HZFI4UT09
   Meeting ID: 882 0942 9310
   Passcode: 469206

   **One tap mobile**
   
   253-215-8782
   Meeting ID: 882 0942 9310
   Passcode: 469206

2. **CALL TO ORDER**

3. **ROLL CALL**

4. **UNFINISHED BUSINESS:**

   a. **CODE UPDATES**
      
      - [PC Work Session Packet June 2021](#)

5. **PLANNING COMMISSION COMMENTS**

6. **STAFF COMMENTS**

7. **ADJOURNMENT:**

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North Plains Planning Commission meetings are accessible for disabled individuals. The City will also endeavor to provide services for persons with impaired hearing or vision and other services, if requested, at least 48 hours prior to the meeting. To obtain services, please call City Hall at **(503) 647-5555**

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The following Planning Commission Meetings are scheduled to be held at:
The meetings will be held on the following dates at 7:00 p.m.:

Wednesday, July 14, 2021   Wednesday, August 11, 2021   Wednesday, September 8, 2021
Date: June 3, 2021
To: Planning Commission
From: Heather Austin, AICP, Consulting Land Use Planner
Subject: Work Session - Code Updates

The Planning Commission is conducting a work session prior to their scheduled meeting on June 9, 2021 to discuss updates to several chapters of the Zoning and Development Code.

§§155.610-614 Planned Unit Development: Proposed changes include reducing the minimum size property for a PUD and reducing the amount of open space required. PUD can be an excellent development tool to provide flexibility to the applicant while obtaining additional amenities for the City. The current minimum site size and open space requirement severely limit the ability to use this provision in North Plains.

§§155.670-155.676 Off-Street Parking and Loading: The Planning Commission would like to review the City’s provisions regarding shared access and minimum parking requirements. Also need to cross-reference between definitions/permitted uses in zones and parking use table.

Review from May 2021 Work Session (sections included with revisions)
§§ 155.140-155.142 Zoning in Newly Annexed Areas
§§155.155-155.200 Residential Zones
§§ 155.485-155.488 Duplex, Triplex and Two Family

Future Code Update Work Sessions (not included with this packet):
- §155.012 Definitions: Update definitions to reflect best practices and updated provisions elsewhere in the Code.
- §155.143 Zoning Use Table: Revisions based on April 2021 work session and direct feedback from Commissioner LaBonte.
- §§155.045-155.057 Design Review (particularly §155.056(D) Multifamily Dwelling(s)): The Planning Commission would like to review the design review standards applicable to multifamily dwellings as well as adopt cottage cluster provisions.
- §155.720-155.733 Annexations: Review and updates (potentially) needed prior to UGB expansion.
- Identify location for master plan criteria for future UGB expansion areas (currently embedded in the Neighborhood Community Zoning District).
§ 155.610  STANDARDS.
   Special uses included in this subchapter are uses which, due to their effect on surrounding properties, must be developed in accordance with special conditions and standards. These conditions and standards may differ from the development standards established for other uses in the same zoning district. When a dimensional standard or a special use differs from that of the underlying district, the standard for the special use shall apply.

§ 155.611  PURPOSE.
   The purpose of a planned unit development is to permit the application of new technology and greater freedom of design in land development than possible under a strict interpretation of the provisions of this subchapter, including those governing lot size, setbacks and density. The use of these provisions are dependent upon the submission of an acceptable plan and satisfactory assurance it will be carried out. Such plan should accomplish substantially the same general objectives as proposed by the Comprehensive Plan for the city.

§ 155.612  OBJECTIVES.
   The following objectives shall be considered in reviewing an application for a conditional use permit for a planned unit development:
   (A) To provide more desirable living, shopping and working environments by preserving the natural character of open fields, stands of trees, brooks, ponds, floodplains, hills and similar natural assets;
   (B) To encourage the use of innovative siting and construction techniques and materials as a means of reducing building and maintenance costs and conserving energy;
   (C) To encourage developers to provide residents with a variety of amenities, including recreational facilities and pedestrian and bicycle paths; and
   (D) To encourage variety in the physical development pattern of the community.

§ 155.613  STANDARDS AND REQUIREMENTS.
   The following standards and requirements shall govern the application of the planned unit development.
   (A) Minimum size for a planned unit development. No application shall be made for an area of less than four acres in any zone or combination of zones.
   (B) Limitation on application. No application shall be accepted for a use which will require a change of zone unless accompanied by an application for a zoning amendment. **Planned unit developments that include more than one zone may distribute the permitted uses in each of the underlying zones throughout the site in a way that best meets the objectives of a planned unit development.**
Standards for approval. Such uses may be permitted as a special use upon the following findings:

1. The proposal conforms with the Comprehensive Plan;
2. The project will satisfactorily accommodate the traffic it generates by means of adequate off-street parking, access points and additional street right-of-way and improvements and any other traffic facilities required. All such improvements shall be developed to city public works standards;
3. Streets and roads in planned unit developments which are to be dedicated shall be public and developed to city public works standards;
4. Pedestrian walkways shall be provided for adequate pedestrian and bicycle traffic and these shall be constructed to city public works standards, except as varied by the Planning Commission;
5. All utility facilities shall be installed underground and in accordance with city public works standards;
6. The design of a planned unit development shall provide direct access for all units and lots to open space areas and facilities;
7. The project will be compatible with adjacent development and will not adversely affect the character of the area;
8. All public utilities will be developed consistent with urban growth boundary policies, plans and standards;
9. The planned unit development shall not have adverse impacts on public facilities such as schools, roads, water and sewage systems, fire protection and the like;
10. A planned unit development shall not be approved in any R Z zone if the housing density of the proposed development will result in an intensity of land use greater than permitted by the Comprehensive Plan;
11. Developments which either provide for or contemplate private streets and common areas which will be or are proposed to be maintained by the owners of units or lots within a development must organize and maintain an owner’s association. The owners association shall consist of all the owners of units or lots within the development and membership in the association must be required of all owners who must adopt and record bylaws as provided by ORS 100.410. The owners association shall adopt bylaws that contain the provisions required by ORS 100.415 and specifically the power to create a lien upon the unit or lot for services, labor or material lawfully chargeable as common expenses as provided in ORS 100.450. The owners associations power to create such a lien shall exist whether or not the property is submitted to the state’s Unit Ownership Law (ORS 100.005 to 100.620);
12. All other subdivision restrictions contained in §§ 155.585 through 155.599 of this chapter shall be met;
13. The system of ownership of the units and open space, and the means of developing, preserving and maintaining open space is adequate;
14. Sufficient financing exists to assure the proposed development will be substantially completed within four years of approval; and
15. A minimum of twenty-five Sixty-five percent of the land is to be maintained in open space.
§ 155.614  PROCEDURE.

The following procedure shall be observed when a planned unit development proposal is submitted for consideration.

(A) The applicant shall submit five copies of a preliminary development plan to the Commission for study at least 30 days prior to the scheduled public hearing. The preliminary plan shall include the following information in graphic and written form which includes:
   (1) Proposed land uses, building locations and housing unit densities;
   (2) Proposed access and circulation, including the status of street ownership;
   (3) Proposed open space uses;
   (4) Proposed grading and drainage pattern;
   (5) Proposed method of water supply and sewage disposal; and
   (6) Relation of the proposed development to the surrounding area and the Comprehensive Plan.

(B) Public notice of the proposed planned unit development shall be provided in accordance with the public notice provisions of this chapter.

(C) In considering the plan, the Commission shall determine whether:
   (1) There are special physical conditions or objectives of development which the proposal will satisfy to warrant a departure from the standard ordinance requirements;
   (2) Resulting development will not be inconsistent with the Comprehensive Plan provisions or zoning objectives of the area;
   (3) The area around the development can be planned and used in substantial harmony with the proposed plan;
   (4) The plan can be completed within a reasonable period of time;
   (5) The streets are adequate to support the anticipated traffic and the development will not overload the streets outside the planned area; and/or
   (6) Proposed utility and drainage facilities are adequate for the population densities and type of development proposed.

(D) If, in the opinion of the Commission, the provisions of division (C) above are satisfied, the proposal shall be approved. If the Commission finds the provisions are not satisfied, it may deny the application or return the plan to the applicant for revision.

(E) In addition to the requirements of this section, the Commission may attach conditions it finds are necessary to carry out the purposes of this subchapter.

(F) Building permits in a planned development shall only be issued on the basis of the approved plan. Any changes in the approved plan shall be submitted to the Commission for processing as an amendment to the approved conditional use permit for a planned unit development.

(G) An approved planned unit development shall be identified on the zoning map as an overlay to the existing zoning district.
Off Street Parking and Loading

§155.670 **Purpose**

The purpose of this chapter is to provide adequate areas for the parking, maneuvering, loading and unloading of vehicles for all land uses in the City of North Plains.

§155.671 **General Provisions**

A. The provision and maintenance of off-street parking and loading spaces are continuing obligations of the property owner. No building or other permit shall be issued until plans are presented that show property that is and will remain available for exclusive use as off-street parking and loading space. The subsequent use of property for which the building permit is issued shall be conditional upon the unqualified continuance and availability of the amount of parking and loading space required by this Ordinance.

B. Parking requirements for types of buildings and uses not specifically listed herein shall be determined by the Planning Commission, based upon the requirements of comparable uses listed.

C. In the event several uses occupy a single structure or parcel of land, the total requirements for off-street parking shall be the sum of the requirements of the several uses computed separately, except as specified in subsection D. below.

D. Owners of two or more uses, structures, or parcels of land may agree to utilize jointly the same parking and loading spaces when the hours of operation do not overlap, provided that satisfactory legal evidence is presented to the building inspector in the form of deed, leases or contracts to establish the joint use.

E. Off-street parking spaces for dwellings shall be located on the same tax lot with the structure, and within 250 feet of the dwelling unit for which the parking space is required. Garages and/or carports may be used to satisfy the off-street parking requirements for dwellings, however, one required parking space may be uncovered. Parking spaces required for other uses may be located on a separate tax lot and shall be located not farther than 500 feet from the building or use they are to serve.

F. Parking and loading spaces shall not be located in a required side or rear yard, except that off street parking spaces may be located in a required side or rear yard adjacent to a street on commercial or industrial zoned land provided that the parking spaces are developed consistent with the development standards of this chapter.
G. Required parking spaces shall be available for parking of operable passenger automobiles of residents, customers, patrons and employees only, and shall not be used for storage of vehicles or materials or for the parking of trucks used in conducting the business or use.

H. Required parking spaces shall be improved and available for use before the final inspection is completed by the building inspector. An extension of time may be granted by the building inspector providing an irrevocable letter of credit, assignment of bank account, performance bond, or its equivalent, is posted equaling the cost to complete the improvements.

I. On-Street Parking Credit. The amount of off-street parking required may be reduced by one-half off-street parking space for every one on-street parking space adjacent to the development (where curbs and sidewalks are present and parking is allowed). On-street parking shall follow the established configuration of existing on-street parking, except that angled parking may be allowed for some streets, where permitted by City standards. The following constitutes an on-street parking space:

a. Parallel parking, each 24 feet of uninterrupted curb;
b. 45 degree diagonal, each 14 feet of curb;
c. 60 degree diagonal, each 11.5 feet of curb;
d. 90 degree (perpendicular) parking, each 10 feet of curb;
e. Curb space must be connected to the lot which contains the use;
f. Parking spaces that would not obstruct a required clear vision area, nor any other parking that violates any law or street standard; and

g. On-street parking spaces credited for a specific use may not be used exclusively by that use, but shall be available for general public use at all times. No signs or actions limiting general public use of on-street parking spaces are permitted.

J. When the calculation of the minimum number of parking spaces required results in a fraction of a space, the applicant must round up to the nearest whole space.

K. When 50 or more parking spaces are either required or proposed with a development application, a minimum of five percent (5%) of the total number of parking spaces shall be available for future installation of electric vehicle charging stations, as defined by Oregon Administrative Rule (OAR) 918-020-038. Fractional numbers derived from this calculation must be rounded up to the nearest whole number.

L. All new developments may be required to provide for joint-use access to all adjacent undeveloped or underdeveloped parcels.

§155.672 Commercial District Modifications

The parking requirements of this section shall not apply to existing commercial buildings within the commercial core of the City as defined on the official zoning map of the City as the C-1 zone.
§155.673  Automotive Parking Requirements

A. Residential
1. Detached single-family* two spaces per dwelling unit
2. Duplexes and Triplexes* one and one-half spaces per dwelling unit
3. Multi-family dwellings and attached single-family dwellings;*
   a. Studio units or 1-bedroom units one space per dwelling unit
   b. 2-bedroom units 1.75 spaces per dwelling unit
   c. 3-bedroom units two spaces per dwelling unit
   d. Senior housing 1.25 spaces per dwelling unit
4. Residential hotel; two spaces per three guest rooms
   rooming/boarding house plus one additional space per two
5. Mobile home park one space per mobile home plus one
   guest parking space for every two
   homes

B. Commercial Residential
1. Hotel one space per two guest rooms or suites
   plus one space per two employees.
2. Motel one space per guest room or suite plus one
   space per two employees.

C. Community Services,
   Institutional and Semi-Public Uses
1. General Office/Government Office three spaces per 1,000 sq ft gross floor area
2. Community Recreation Buildings one space per 250 sq ft, or 1 space per 6
   patrons to the maximum capacity, plus 1
   space per employee on the largest shift
3. Church, Chapel, Auditorium,
   Lodge, Fraternal/Civic Assembly with
   or without eating/drinking facilities one space per six fixed seats, or, where there
   are no fixed seats, one space per ten patrons
   to the maximum capacity
4. Library or Museum two spaces per 1,000 sq ft gross floor area
5. Hospitals/Medical Centers one space per 1,000 sq ft gross floor area
6. Medical/Dental Offices/Clinics four spaces per 1,000 sq ft gross floor area
7. Day Care/Small School one space per employee and 1 space per 5
   students
8. Preschool/Kindergarten two and one-half spaces per 1,000 sq ft gross
   floor area
9. School- Elementary or one and one-half spaces per classroom,
   Middle/Junior High plus recreation facilities, if applicable
10. School- Senior High School/Vocational or College
two spaces per 1,000 sq ft gross floor area, plus recreation facilities, if applicable

11. Park, private or public < 1 acre
None

12. Park, private or public > 1 acre
As determined at time of land use review

D. Commercial Amusement
1. Stadium/Arena/Theater
one space per four seats or eight feet of bench length

2. Bowling Alley
four spaces per alley plus one space per two employees

3. Dance Hall/Skating Rink
one space per 100 sq ft of floor area plus one space per two employees

E. Commercial
1. Retail Store
one space per 200 sq ft gross floor area

2. Service or Repair Shop
one space per 400 sq ft gross floor area plus one space per two employees

3. Retail Store (handling exclusively bulky merchandise such as automobiles or furniture)
one space per 500 sq ft gross floor area

4. Bank/Professional Office
one space per 800 sq ft gross floor area

5. Clinic or Office for Doctor, Dentist, or other Practitioners of the Healing Arts
one space per 300 sq ft gross floor area plus one space per two employees

6. Eating and Drinking Establishment
one space per 100 sq ft gross floor area

F. Industrial
1. Storage Warehouse/Manufacturing Establishment/Rail or Trucking Freight Terminal
one space per employee on largest shift

2. Wholesale Establishment
one space per employee plus one space per 800 sq ft of patron serving area

3. Public Utility (gas/water/telephone/etc)
one space per two employees on largest shift, plus one space per company vehicle
* Garages count toward off-street parking requirements. Garages need not be physically attached to the residential structure to count toward off-street parking requirements.

§155.674 **Off-Street Loading Requirements**

Off-street loading space shall be provided as listed below:

A. All office commercial and industrial buildings shall require a minimum one loading space per 5,000 square feet of gross floor area or portion thereof. Each loading space shall be a minimum size of 12 feet wide, 20 feet long and 14 feet high.

B. All other commercial or industrial buildings shall require a minimum loading space of 12 feet wide, 20 feet long, and 14 feet high in the following amounts:

   1. For buildings containing up to 5,000 square feet of gross floor area, one space; for each additional 10,000 square feet of gross floor area, or any portion thereof, one space.

§155.675 **Parking and Loading Area Development Requirements**

All parking and loading areas shall be developed and maintained as follows:

A. **Surfacing:** Areas used for standing and maneuvering of vehicles shall have durable and dustless surfaces maintained adequately for all weather use and drained to avoid flow of water across public sidewalks.

B. **Screening:** When any public parking or loading area is within or adjacent to a residential zone, such parking or loading area shall be screened from all residential properties with an ornamental fence, wall or hedge of at least five feet in height but not more than six feet in height, except where vision clearance is required.

C. **Periphery:** Parking spaces along the outer boundaries of a parking lot shall be contained by a bumper rail or a curb at least four inches high and set back a minimum of four feet from the property line.

D. **Lighting:** Artificial lighting which may be provided shall not create or reflect substantial glare in a residential zone or on an adjacent dwelling.

E. **Design of Parking Spaces and Driveways**

Off-street parking lots shall be designed in accordance with City Standards for stalls and aisles as set forth in the following drawing and table:
Notes:

1. For one (1) row of stalls use "C" plus "D" as minimum bay width.

2. Public alley width may be included as part of dimension "D," but all parking stalls must be on private property, off the public right-of-way.

3. For estimating available parking area, use 350 square feet per vehicle for stall, aisle and access areas.

4. The stall width for self-parking of long duration is 8.5'; for higher turnover self-parking is 9.0'; and for supermarkets and similar facilities is 9.5; - 10.0'.

5. The minimum aisle width for two-way traffic and for emergency vehicle operations area is 24'. The minimum aisle width for emergency vehicle access (open way traffic is 20'.

6. Where appropriate bumper overhang area is provided (extruded curbs), "G" can be subtracted from "C" to determine stall depth.

7. Dimensions of required recreational vehicle spaces are 10' x 25'.
16.155.030 Bicycle Parking Facilities

   a. Applicability. Bicycle parking spaces shall be provided for new development, changes of use, and major renovations, defined as construction valued at twenty-five (25) percent or more of the assessed value of the existing structure.
   b. Bicycle parking shall be provided for all multi-family, commercial, institutional and industrial uses.
   c. Types of Spaces. Bicycle parking facilities shall be provided in terms of short-term bicycle parking and long-term bicycle parking. Short-term bicycle parking is intended to encourage customers and other visitors to use bicycles by providing a convenient and readily accessible place to park bicycles. Long-term bicycle parking provides employees, students, residents, commuters, and others who generally stay at a site for at least several hours a weather-protected place to park bicycles.
   d. Minimum Number of Spaces.
      1. A minimum of two (2) bicycle parking spaces shall be provided.
      2. If greater than 40 vehicle parking spaces are required, bicycle parking shall be provided at a rate of one (1) bicycle parking space for every 20 required vehicle parking spaces and a bicycle repair station shall be provided.
      3. Public and private schools shall provide a minimum of two bicycle parking spaces per classroom.
      4. Parks shall provide a minimum of two bicycle parking spaces per acre and a minimum of one bicycle repair station.
   e. Multiple Uses. When there are two or more primary uses on a site, the required bicycle parking for the site is the sum of the required bicycle parking for the individual primary uses. Bicycle parking for multiple uses on one site may be concentrated in one area.

2. Location and Design.
   a. Lighting. Bicycle parking shall be at least as well-lit as vehicle parking for security.
   b. Reserved Areas. Areas set aside for bicycle parking shall be reserved for bicycle parking only.
   c. Hazards. Bicycle parking shall not impede or create a hazard to pedestrians. Parking areas shall be located so as to not conflict with vision clearance standards.
   d. Location. Bicycle parking shall be located inside or outside the building within thirty (30) feet of the main entrance to the building or at least as close as the nearest vehicle parking space, whichever is closer.
§155.140 Districts

For the purposes of this Ordinance, the incorporated area of the City of North Plains, Oregon, is hereby divided into the following Zoning Districts:

- Single-Family Residential Low Density Residential: R7.5
- Single-Family Residential Medium Density Residential: R5
- Multi-Family Residential High Density Residential: R2.5

- Community Commercial: C1
- General Commercial: C2
- Light Industrial: M1
- General Industrial: M2
- Flood Plain: FP
- Community Service, Institutional and Public Use: CS, IPU
- Neighborhood Community: NC

§155.141 Boundaries

The zoning district boundaries are shown on the Zoning Map of the City of North Plains. This map is made a part of this Ordinance and shall be marked and designated as the North Plains Zoning Map and shall be kept on file at City Hall. Any future changes to the zoning of land within the City of North Plains which are approved under the provisions of this Ordinance shall be appropriately depicted on the North Plains Zoning Map.

The Planning Commission shall resolve any dispute over the exact location of a zoning district boundary. In interpreting the location of such boundaries on the North Plains Zoning Map, the Planning Commission shall rely on the North Plains Comprehensive Plan Map and the following guidelines for the location of zoning district boundaries; property lines; lot lines; center lines of streets, alleys, streams, or railroads; city boundaries; notations on the North Plains Zoning Map; or other planning criteria determined appropriate by the Planning Commission.

§155.142 Zoning in Newly Annexed Areas

Upon annexation, land shall be zoned according to the adopted Concept Plan for the land that identifies the general location of land uses and an overall average density. The adopted Concept Plan shall comply with the North Plains Comprehensive Plan and with the designation on the North Plains Comprehensive Plan Map. If a re-designation of the Plan Map is requested concurrent with annexation, the uses allowed under the proposed designation must comply with the Comprehensive Plan. In cases where it is unclear which designation to assign, the Planning Commission shall determine the designation based on the approved Concept Plan and the Comprehensive Plan, most closely related designation shall be assigned.

Commented [HA1]: Implements Comprehensive Plan Language requiring a concept plan prior to annexation.
<table>
<thead>
<tr>
<th>Corresponding Zone Plan Designation</th>
<th>Upon Annexation</th>
</tr>
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<tbody>
<tr>
<td>Medium/Low Density Residential</td>
<td>R7.5</td>
</tr>
<tr>
<td>Medium/High Density Residential</td>
<td>R5</td>
</tr>
<tr>
<td>High Density Residential</td>
<td>R2.5</td>
</tr>
<tr>
<td>Commercial</td>
<td>C1 or C2</td>
</tr>
<tr>
<td>Industrial</td>
<td>M1 or M2</td>
</tr>
<tr>
<td>Neighborhood Community</td>
<td>NC</td>
</tr>
</tbody>
</table>

If areas are annexed that are within any 100-year flood plain as defined in the North Plains or Washington County Comprehensive Plans, the areas shall also be assigned the Flood Plain Overlay Zone.
R-7.5 ZONING DISTRICT

§155.155 Purpose

The purpose of the R-7.5 District is to provide for the development of residential uses, and to implement housing policies of the Comprehensive Plan.

§155.156 Permitted Uses

Permitted uses subject to the requirements of §§155.045 through 155.057 of this chapter, if applicable. Refer to Zoning Code Use Table:

A. Single family detached dwellings;
B. Accessory dwellings and accessory structures, subject to §§155.500 through 155.502 of this chapter;
C. Home occupations, administrative, subject to §§155.430 through 155.432 of this chapter;
D. Certified family child care home;
E. Residential home; and
F. Manufactured Homes on individual Lots, subject to §§155.515 through 155.518 of this chapter.

§155.157 Conditional Uses

(A) Subject to the requirements of §§155.045 through 155.057 of this chapter, if applicable, and §§155.160 of this chapter. Refer to §155.143 of this chapter.

(B) The following uses and their accessory structures may be permitted in the R-7.5 District when authorized by the Planning Commission pursuant to this section:

1) Civic /Governmental use;
2) Educational Facility;
3) Residential Facility;
4) Extended Care Facility / Convalescent / Nursing Home;
5) Home Occupations, exceeding administrative as defined and subject to Chapter 16.085, Home Occupations;
6) Planned Unit Development, subject to §§155.610 through 155.614 of this chapter; and
7) Fraternal Lodge;
§155.158 **Dimensional Standards**

The following dimensional standards shall be the minimum requirements for all development in the R-7.5 District, except for modifications permitted under §§155.530 through 155.533 and 155.610 through 155.614 of this chapter.

A. **Density**

1. The density of new developments within the R-7.5 zoning district shall be between 4.3 and 5.8 dwelling units per net acre, with a target density of 5.5 dwelling units per net acre.

B. **Lot/Parcel Size**

1. All uses: 7,500 square feet minimum lot size (lots in a subdivision may average a minimum lot size of 7,500 square feet).

2. Subdivisions greater than 10 acres must average a minimum of 4 dwelling units per net acre.

C. **Lot/Parcel Depth and Width**

1. The minimum average lot width shall be 60 feet.

2. The minimum average lot depth shall be 80 feet.

D. **Minimum Setback Requirements**

Principle structures, accessory dwellings, and accessory structures with a floor area greater than 200 square feet shall maintain the following minimum yard setbacks.

1. **Front Yard**
   a. Principle structure: 15 feet
   b. and g. Garage: 20 feet

   A porch, garage, carport, accessory dwelling or accessory structure shall not exceed the front building elevation of the principle structure by more than six (6) feet.

2. **Rear Yard**:
   a. Street-access lots: ten feet;
b. Alley-access lots: six-two feet; and

c. Accessory structures and accessory dwellings: five feet.

3. Side Yard:

a. Interior: five feet;

b. Adjacent to street: ten feet, plus additional necessary to comply with the standards of §155.656 of this chapter; and

c. Accessory structures and accessory dwellings: ten-foot side yard (adjacent to street) setback, except as provided for in §§155.500 through 155.502 of this chapter.

E. Height of Buildings

Buildings shall not exceed a height, measured from grade, of 35 feet. Accessory dwellings and accessory structures shall not exceed 25 feet.

F. Lot/Parcel Coverage

The maximum impervious surface coverage shall not exceed 65% of the total area of any lot.

G. Flag Lots

Flag lots are subject to the standards set forth in §§155.545 through 155.552 of this chapter.

§155.159 Parking Requirements

Parking requirements for all uses are specified in §§155.670 through 155.676 of this chapter.

§155.160 Development Standards

The following standards will be applied to all single-family dwellings (site-built, modular and manufactured homes) to be constructed or located in the city:

A. (1) All single-family units shall utilize at least two of the following design features to provide visual relief along the street-side frontage of the home:

       a) dormers;

       b) gables;

       c) recessed entries;

       d) covered porch entries;
e) cupolas;

f) pillars or posts;

g) bay or bow windows;

h) eaves (minimum 6” projection);

i) offsets on building face or roof (minimum 16”)

If alternative design features are proposed by an applicant not included in the options above, the applicant may apply to the Planning Commission for approval of the alternative design features.

B. Different home designs in developments (minimums) (as measured by different roof lines, window size and placement and/or entrance placement) (reverse designs are encouraged but don't count):

1) 2 for developments less than 5
2) 3 for developments less than 12
3) 4 for developments of 12 or greater.
4) 25% or more single level homes for developments greater than 3

C. All manufactured homes shall also comply with the requirements of §§ 155.515 through 155.518 of this chapter.
R-5 ZONING DISTRICT

§155.175 Purpose

The purpose of the R-5 District is to provide for the development of detached single-family dwellings, residential uses and limited multi-family townhouses, duplexes and triplexes residential uses, and to implement the housing policies of the Comprehensive Plan.

§155.176 Permitted Uses

Permitted Uses subject to the requirements of §§155.045 through 155.057 of this chapter. Refer to Zoning Code Use Table:

A. Single-family detached dwelling;

B. Duplex dwellings;

C. Triplex dwellings;

D. Townhouse dwellings, subject to §§155.485 through 155.487 of this chapter;

E. Accessory dwellings and accessory structures, subject to §§155.500 through 155.502 of this chapter;

F. Home occupations, administrative, subject to §§155.430 through 155.432 of this chapter;

G. Certified family child care home;

H. Residential Home; and

I. Manufactured Homes on Individual Lots, subject to §§155.515 through 155.518 of this chapter.

§155.177 Conditional Uses

(A) Subject to the requirements of §§155.045 through 155.057 of this chapter, if applicable, and §155.180 of this chapter. Refer to §155.143 of this chapter.

(B) The following uses and their accessory structures may be permitted in the R-5 District when authorized by the Planning Commission pursuant to §§155.070 through 155.077 of this chapter:

1) Bed & Breakfast

2) Civic /Governmental Use
3) Educational Facility

4) Residential Facility

5) Extended Care Facility / Convalescent / Nursing Home

6) Home Occupations exceeding administrative, subject to §§155.430 through 155.432 of this chapter;

7) Manufactured Home Parks, subject to §§155.515 through 155.518 of this chapter;

8) Planned Unit Development, subject to §§155.601 through 155.614 of this chapter;

9) Single family attached homes/row houses, subject to Chapter 16.100, Duplex, Triplex, and Attached Two- and Single Family Dwelling

9) Fraternal Lodge;

10) Places of Worship; and

11) Utility Facilities.

§155.178 Dimensional Standards

The following dimensional standards are the minimum requirements for all development in the R-5 District, except for modifications permitted under §§155.530 through 155.533 and 155.610 through 155.614 of this chapter.

A. Density

1. The density of new single-family detached, duplex or triplex developments within the R-5 zoning district shall be between 6.7 and 9.6 dwelling units per net acre, with a target density of 8.0 dwelling units per net acre.

2. The density of duplexes and triplexes shall be calculated based on the underlying lot, such that a duplex or a triplex counts as one dwelling unit for density calculation purposes.

3. Townhouse (attached single-family) developments shall have a maximum density of 14.5 dwelling units per net acre.

4. Mixed Density. If a residential development includes more than one housing type, the maximum density of each housing type shall be calculated separately. In compliance with subsections 1-3, above.

B. Lot/Parcel Size
1. Single-family detached dwelling - 5,000 square feet per lot minimum;

2. Duplex dwelling - 5,000 square feet per lot

3. Triplex dwelling – 5,000 square feet per lot

4. Townhouse dwelling: Two-family dwelling (duplex), triplex & attached single-family dwelling: 4,000 3,000 square feet minimum per unit lot

5. All other uses - 5,000 square feet minimum; and

6. Lots for single-family detached dwellings created by subdivision plats shall have a maximum lot size of 7,500 square feet maximum and all new subdivisions shall meet the minimum density of the R-5 zoning district.

C. Lot/Parcel Depth and Width

1. The minimum average lot width for single-family detached dwellings, duplexes and triplexes shall be 40 feet.

2. The minimum average lot depth for single-family detached dwellings, duplexes and triplexes shall be 80 feet.

D. Minimum Setback Requirements

Principle structures, accessory dwellings and accessory structures with a floor area greater than 200 square feet shall maintain the following minimum yard setbacks.

1. Front Yard
   A porch, garage, carport, accessory dwelling or accessory structure shall not exceed the front building elevation of the principle structure by more than six feet.
   a) Garage - 20 feet; and
   b) All other structures - 15 feet.

2. Rear Yard
   a) Street-access lots: ten feet;
   b) Alley-access lots: six-two feet; and
   c) Accessory Structures and Accessory Dwellings: five feet.

3. Side Yard
a) Interior: five feet, except that townhouse dwellings shall have no required 
interior side yard where attached to another unit; and

b) Adjacent to street - ten feet, plus additional necessary to comply with the 
standards of §155.656 of this chapter.

4. **Flag Lots**

Flag lots are subject to the standards set forth in §§155.545 through 155.552 
of this chapter.

5. **Height of Buildings**

Buildings shall not exceed a height, measured from grade, of 35 feet. 
Accessory dwellings and accessory structures shall not exceed 25 feet.

6. **Lot/Parcel Coverage**

In the R-5 District, the **The maximum lot coverage for** impervious surface lot coverage shall not exceed **80% for townhouses and 65% for all other uses.** of the total area of the lot.

**§155.179 Parking Requirements**

Parking requirements for all uses specified in §§155.670 through 155.676 of this chapter.

**§155.180 Development Standards**

The following standards will be applied to all single family dwellings (site built, modular and manufactured homes) to be constructed or located in the City of North Plains:

All single-family **detached** dwellings (site-built, modular and manufactured homes), **townhouse dwellings, duplex dwellings and triplex dwellings** units shall utilize at least two of the following design features to provide visual relief along the street-side frontage of the home:

1. dormers;
2. gables;
3. recessed entries;
4. covered porch entries;
5. cupolas;
6. pillars or posts;

7. bay or bow windows;

8. eaves (minimum 6" projection);

9. offsets on building face or roof (minimums 16")

If alternative design features are proposed by an applicant not included in the options above, the applicant may apply to the Planning Commission for approval of the alternative design features.

B. Different home designs in developments (minimums) (as measured by different roof lines window size and placement and/or entrance placement) (reverse designs don't count):

- 2 for developments less than 5
- 3 for developments less than 12
- 4 for developments of 12 or greater.
- 25% or more single level homes for developments greater than 3

C. All manufactured homes shall also comply with the requirements of §§155.430 through 155.432 of this chapter.
R-2.5 ZONING DISTRICT

§155.195 Purpose

The purpose of the R-2.5 District is to provide for the development of residential attached single-family (townhouse) and multifamily housing and to implement the housing policies of the Comprehensive Plan.

§155.196 Permitted Uses

Permitted uses are subject to the requirements of §§ 155.045 through 155.057 of this chapter, if applicable. Refer to §155.143 of this chapter:

A. Multi-Family Dwellings, subject to §§ 155.045 through 155.057 of this chapter: Single family detached dwelling

B. Townhouse Dwellings, subject to §§ 155.485 through 155.487 of this chapter:

C. Duplex Dwellings;

D. Triplex Dwellings;

E. Single Family Detached Dwellings that received a building permit prior to December 31, 2021;

F. Cottage Cluster Developments;

G. Accessory Dwellings and Accessory Structures, subject to §§ 155.500 through 155.502 of this chapter;

H. Home occupations, administrative, subject to §§ 155.430 through 155.432 of this chapter;

I. Duplexes and Triplexes and single family attached row houses up to 4 units, subject to Chapter 16.100, Duplex, Triplex, and Attached Two Single Family Dwellings

J. Certified Family Child Care Home;

K. Residential Homes;

L. Manufactured Homes on Individual Lots, subject to §§ 155.515 through 155.581 of this chapter.
§155.197  Conditional Uses

(A) Subject to the requirements of §§155.045 through 155.057 of this chapter, if applicable, and §155.200 of this chapter. Refer to §155.143 of this chapter.

(B) The following uses and their accessory structures may be permitted in the R-2.5 District when authorized by the Planning Commission pursuant to Conditional Use Permit.

1) Bed & Breakfast;

2) Civic /Governmental Use;

3) Educational Facility;

4) Extended Care Facility / Convalescent / Nursing Home;

5) Home Occupations exceeding administrative, subject to §§155.430 through 155.432 of this chapter;

6) Manufactured Home Parks, subject to §§155.515 through 155.518 of this chapter;

7) Planned Unit Development, subject to §§155.610 through §§155.614 and §§155.485 of this chapter;

8) Fraternal Lodge;

9) Townhomes/condominiums, Subject to Chapter 16.175, and Multi-Family Dwelling(s) Section and Chapter 16.100, Duplex, Triplex, and Attached Two, Single Family Dwelling;

9) Places of Worship; and

10) Utility Facilities.

§155.198  Dimensional Standards

The following dimensional standards are the minimum requirements for all development in the R-2.5 District except for modifications permitted under §§155.530 through 155.533 or §§155.610 through 155.614 of this chapter.

A. Density

1. The density of new townhouse, multifamily and cottage cluster developments
within the R-2.5 zoning district shall be between 15.3 and 21.8 dwelling units per net acre, with a target density of 17.4 dwelling units per net acre.

2. The density of duplexes and triplexes shall be based on the minimum required lot size of 3,000 square feet.

3. Density bonus. Residential developments that include a minimum of 20% affordable dwelling units may increase the maximum density of the development by 20%. Affordable units are housing units that are reserved for households with a maximum household income of 80 percent of a city’s mean household income. The affordable units must be reserved as affordable units for a minimum of 25 years.

4. Mixed Density. If a residential development includes more than one housing type, the maximum density of each housing type shall be calculated separately, in compliance with subsections 1-3, above.

B. Lot/Parcel Size

1. New lots created by plat shall have a maximum lot size of 6,000 square feet per dwelling unit;

2. Single-family dwelling shall have a 4,000 square feet minimum.

2. Two-family dwelling (duplexes), Triplexes & attached single family dwellings. Townhouse dwellings: 2,500 square feet minimum per dwelling unit;

3. Duplex dwellings and triplex dwellings: 3,000 square feet minimum per lot

4. Multi-family dwellings (greater than three units) and cottage cluster projects: 2,000 square feet minimum per dwelling unit; and

5. All other uses 4,000 square feet minimum.

C. Lot/Parcel Depth and Width

- No minimum lot width or depth.

D. Setback Requirements

Principle structures, accessory dwellings and accessory structures with a floor area greater than 200 square feet shall maintain the following minimum yard setbacks.

1) Front Yard
a) For all structures: ten feet; and

b) Garage: 20 feet.

1. Garages, carports and accessory structures shall be accessed from the rear of the building via an alley where appropriate and feasible. If front access garages are proposed, the applicant must provide justification as to why rear access garages are not appropriate or feasible.

2. A porch, garage, carport, accessory dwelling or accessory structure shall not exceed the front building elevation of the principle structure by more than six feet.

2) **Rear Yard:**

   a) street-access lots - ten feet;

   b) alley-access lots – six feet; and

   c) Accessory Structures and Accessory Dwellings - five feet.

3) **Side Yard:**

   a) Side yards should be established to create separation between structures and meet fire codes and provide space for pervious surface area;

   b) Single-family dwellings created by plats must have at least one side yard.

   c) Adjacent to street - ten feet plus additional space necessary to comply with the standards of §155.656 of this chapter;

   d) Accessory Structures and Accessory Dwellings – five feet adjacent to street setback, except as provided for in §§155.500 through 155.502 of this chapter; and

   e) Attached dwellings do not require side yard setbacks along the side the dwelling units are attached.

4) **Flag lots approved:**

   Flag lots are subject to §§155.545 through 155.552 of this chapter.

5) **Height of Buildings**

   Buildings shall not exceed a height, measured from grade, of 35 feet. Accessory dwellings and accessory structures shall not exceed 25 feet.
6) **Lot/Parcel Coverage**

In the R-2.5 District, the maximum lot coverage for impervious surfaces shall not exceed **80% for townhouses and multifamily developments and 65% for all other uses**.

**16.030.020 Parking Requirements**

Parking requirements are specified in §§155.670 and 155.676 of this chapter.

**16.30.25 Development Standards**

The following standards will be applied to all dwellings:

A. (1) All units shall utilize at least two of the following design features to provide visual relief along the front of the home:

   a) dormers;
   b) gables;
   c) recessed entries;
   d) covered porch entries;
   e) cupolas;
   f) pillars or posts;
   g) bay or bow windows;
   h) eaves (minimum 6" projection); and
   i) offsets on building face or roof (minimum 16 inches);

(2) If alternative design features are proposed by an applicant not included in the options above, the applicant may apply to the Planning Commission for approval of the alternative design features.

B. All manufactured homes shall also comply with the requirements of §§155.515 through 155.518 of this chapter.
§155.485 Standards

(A) Special uses included in this Section are uses which, due to their effect on surrounding properties, must be developed in accordance with special conditions and standards. Townhouses are unique in that the attached nature of the dwelling units can result in a bulkier housing product than single-family detached, duplex or triplex dwellings. These conditions and standards may differ from the development standards established for other uses in the same Zoning District.

(B) When a dimensional standard or a special use in this Chapter differs from that of the underlying district, the standard for the special use in this Chapter shall apply.

§155.486 Purpose

The purpose for allowing townhouses, duplexes, triplexes and attached single family dwellings, as defined in the Definitions section of this chapter, as a special use in certain residential zones, is to permit greater flexibility of design (including lot sizes and setbacks) and to permit greater opportunity for variety and compatibility of housing types and ownership patterns.

§155.487 Standards and Requirements

The following standards and requirements shall govern the development of townhouses, duplexes, triplexes and attached single family dwellings:

A. Minimum Lot Size: The minimum lot size of each dwelling unit shall be as specified by the base zone.

B. Minimum Building Setbacks: All setbacks shall comply with the setbacks required in the underlying zone, except that for interior side yards with a common wall, the side setback shall be zero feet.

The location of all buildings shall comply with the vision clearance requirements of the Clear Vision Areas section of this chapter.

A. Design Standards

These standards are intended to control development scale; avoid or minimize impacts associated with traffic, parking, and design compatibility; and ensure management and maintenance of common areas.

1. Building Mass Supplemental Standard. The maximum number and width of consecutively attached townhouses (i.e., with attached walls...
at property line) shall not exceed 26 units in the C-1 Zoning District and 4 units in the R-2.5 and R-5 Zoning Districts.

Alley Access. Garages, carports and accessory structures shall be accessed from the rear of the building via an alley where appropriate and feasible. If front access garages are proposed, the applicant must provide justification as to why rear access garages are not appropriate or feasible. Townhouse subdivisions (creation of 4 or more lots for single-family attached dwellings) shall receive vehicle access only from a rear alley. Alley(s) shall be created at the time of subdivision approval. Alleys are not required when development patterns or topography make construction of an alley impracticable.

As necessary, the City shall require dedication of right-of-way or easements and construction of pathways between townhouse lots (e.g., between building breaks) to provide for pedestrian connectivity.

Street Access Developments. Townhouses receiving access directly from a street shall comply with all of the following standards, in order to minimize interruption of adjacent sidewalks by driveway entrances, slow traffic, improve appearance of the streets, provide more on-street parking area, and minimize paved surfaces for better storm water management.

a. When garages face the street, they shall be flush with, or recessed behind the front elevation (i.e., living area or covered front porch).
b. The maximum allowable curb cut and driveway apron width is 18 feet per dwelling unit. The remainder of the driveway facing the street may not exceed the width of the garage door plus an additional four feet. The maximum combined garage width per unit is 50 percent of the total building width. For example, a 24-foot wide unit may have one 12-foot wide recessed garage facing the street.

c. Two adjacent garages shall share one driveway when individual driveways would otherwise be separated by less than 20 feet (i.e., the width of one on-street parking space). When a driveway serves more than one lot, the developer shall record an access and maintenance easement/agreement to benefit each lot, prior to building permit issuance.

Common Areas. “Common areas” (e.g., landscaping in private tracts, shared driveways, private alleys, and similar uses) shall be maintained by a homeowners association or other legal entity. A homeowners association may also be responsible for exterior building maintenance. A copy of any applicable covenants, restrictions and conditions shall be recorded and provided to the city prior to building permit approval.

B. Approval Standards

Standards For Approval: Such uses shall may be permitted as a special use upon the following findings:

1. The project shall comply with all other applicable provisions of the ZDO.
2. The project will accommodate the traffic generated by providing adequate off-street parking, access points and additional street right-of-way and improvements and other traffic facilities as required.

3. All public and private improvements shall be developed to applicable City Public Works standards.

4. Pedestrian walkways shall be provided for adequate pedestrian and bicycle traffic.

5. The overall housing density of the project shall comply with that permitted in the underlying zone.

6. If proposed, private streets shall be owned and maintained by the owners of the lots which access the private street. A maintenance agreement shall be recorded which provides for the maintenance of the private street.

16.100.15 Procedure

The development of attached single family dwellings pursuant to this section shall require the approval of either a land partition or subdivision in order to create the 2,500 or 3,750 square foot legal lots of record. The proposed development shall comply with all applicable procedures and standards of either the Land Partitioning or Subdivisions sections of this chapter. A Development Agreement specifying that subsequent development on the lots be limited to attached single family dwellings shall also be required.