

COBURG, OREGON ZONING CODE

with Otak edits June 30, 2005

As amended by Smart Development Advisory Committee⁴
with Otak edits July 29, 2004 May 3, 2005

ARTICLE VII. DISTRICT REGULATIONS

District regulations are set forth in the following Schedule of District Regulations:

SCHEDULE OF DISTRICT REGULATIONS

A. Traditional Residential District (TR)

1. Purpose: The Residential District is intended to provide a livable neighborhood environment, and to preserve the small town and historic character of the traditional core of Coburg, ensure architectural compatibility, and provide for a variety of residential housing choices and other associated uses as determined to be desirable and/or necessary.
2. Uses and Structures
 - a. Permitted Principal Uses and Structures
 - d.(1) Residential
 - a) Single-family detached dwellings
 - b) Single family attached dwellings (townhomes)*
 - c) Duplexes, triplexes and four plexes* located on a corner parcel with each primary entry oriented to a different street
 - d) Accessory dwellings*
 - e) Elderly housing Group home
 - f) Manufactured homes¹ on individual lots as provided in Section 10 Article VIII, Section G.
 - g) Residential Homes and Residential Facilities, as defined by ORS 197.660-.670
 - e.(2) Home occupations as provided in Section 16 Article VIII, Section H.
 - f. Agricultural uses crop cultivation and animal husbandry subject to Nuisance Ordinance criteria and Section 9 requirements.
 - a) Gardens and greenhouses for non-commercial purposes.
 - (4) Public and Institutional
 - a) Places of worship*, subject to the (if meet locational standards in Section Section 71011).
 - b) Public and private schools* (if meet subject to the locational standards in Section Section 710 11.
 - (5) Live-Work Buildings, (subject to the locational standards in -Section 71011).

Notes:

1. *Single family attached dwellings (towns homes) are deleted because they are not needed for the base density of 7,000 square foot lots. Also, they are a housing type appropriate to the TMR and other zones.*
2. *Duplexes are located on corner lots per the Planning Commission (PC) direction.*
3. *Group homes are added per the PC direction.*
4. *It is recommended that the standards for manufactured homes and home occupations be relocated (unchanged) to Article VIII so they can be referenced from any chapter.*
5. *Bed and breakfast inns and childcare centers (under 13 children) have been added to be consistent with Section 10.*

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(6) Bed and Breakfast Inns, subject to the locational standards in Section 710.

(7) Child care center providing care to six or fewer children. Child care centers with 7-12 children are permitted-12 or few children, subject to the locational standards in Section 107.

*Subject to applicable standards in Sections 11—15.

b. Permitted Accessory Uses, Structures and Dwelling Units

- (1) Accessory buildings and uses, such as garages or sheds, are permitted, when necessary and normal to the uses permitted in this district.
- (2) One accessory dwelling unit is permitted on a lot with a single-family detached dwelling, or attached dwelling, subject to the requirements in Section 14.

Notes:

1. *ADU standards were deleted during the Smart Development Advisory Committee process, with the intent to replace them during the current Code Update process. Text will be drafted for review in September. Dwelling Unit Standards are attached in Appendix A.*
2. *Otak has not been provided text for the “Section 14” referenced above.*

c. Special Exceptions (Conditional Uses). The following uses require a conditional use permit under the procedure, criteria, and standards of Article X.

- (1) Boarding, lodging or rooming house.
- (2) Child care center-providing care to thirteen or more children.
- ~~(3) Greenhouse for commercial purposes.~~
- ~~(4) Manufactured dwelling parks²~~
- ~~(5)(3) Nursing homes.~~
- ~~(6)(4) Public parks, playgrounds and community centers.~~
- ~~(7)(5) Public and semi-public buildings.~~
- ~~(8)(6) Public, private and parochial schools that do not meet the locational standards in Section 4410.~~
- ~~(9) Railroad right of way.~~
- (7) Places of worship that do not meet the locational standards in Section 10.
- (8) Single-family dwellings and manufactured homes on lots approved through the lost size averaging provisions of VII (A)(3).
- (9) Agricultural uses crop cultivation and animal husbandry (including bee colonies) subject to Nuisance Ordinance criteria and Section 9 requirements.
 - a) Gardens and greenhouses for non-commercial purposes.

Notes:

1. *Manufactured dwelling parks are not needed in the TR Zone because they are a housing type appropriate to the TMR and other zones. Manufactured homes on individual lots or in subdivisions are still permitted. The existing manufactured home park would be rezoned TMR.*

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d. Prohibited Uses.

(1) Auto repair and wrecking. All uses not listed as permitted, accessory or conditional are prohibited.

~~(2) Animal boarding kennels.~~

~~(3) Animal slaughter and dressing.~~

Note:

1. The City should consider replacing this Prohibited Use list (which is carried over from the Smart Development effort) with a generalized provision that says, "All uses not listed above are prohibited". The City should also consider adding a A "Similar Use" provision has been added see Appendix A, that allows the City to determine that a proposed use is similar enough to a listed use to be allowed.

3. Minimum Lot Requirements

a. Until sanitary sewer is available, For properties not served by sanitary sewers, the minimum lot requirements shall be as follows:

Number of Units	Sq. Ft./lot	Min. Avg. Width	Max. Lot. Cov.
Single Family	10,000	60 ft.	30%
Two Family	12,000	70 ft.	35%
Three Family	16,000	80 ft.	40%
Four Family	20,000	90 ft.	45%

b. After sanitary sewer is available, For properties served by sanitary sewers, the minimum lot requirements shall be listed below:

<u>Number of Units</u>	<u>Min. Sq. Ft./lot¹</u>	<u>Min. Avg. Width¹</u>	<u>Max. Lot. Cov.</u>
<u>Single Family detached and Manufactured home on a lot</u>	<u>7,000</u>	<u>60 ft.</u>	<u>4030%</u>

Duplex 8,0007,800 7065 ft. 4035%

¹Unless varied through lot size averaging

Lot Size Averaging

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e. Single family detached residential lot sizes may be averaged to allow lots less than the minimum lot size in the residential district, as long as the average area for all lots within the development is not less than allowed by the

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~~district.~~

When averaging, following minimum lot requirements apply:

<u>Number of Units</u>	<u>Min. Sq. Ft./lot</u>	<u>Min. Avg. Width</u>	<u>Max. Lot. Cov.</u>
<u>Single Family detached Manufactured home on a lot</u>	<u>5,000</u>	<u>45 ft.</u>	<u>40%</u>
<u>Duplex</u>	<u>6,000</u>	<u>50 ft.</u>	<u>40%</u>

4. Minimum Residential Density Standards

The following density standards apply to all new development ~~once where~~ sanitary sewers ~~are is~~ available. The standards are intended to ensure efficient use of buildable lands and provide for a range of needed housing.

a. When lots are created through a land division, or site development is proposed for four or more dwelling units, a minimum density of ~~80-70~~ percent of the maximum density permitted by the zone is required for all residential units, except that this standard does not apply to the following developments:

- (1) Partitions
- (2) Subdivisions of parcels totaling 20,000 square feet or less;
- (3) Lot line adjustments;
- (4) Bed and Breakfast inns; and
- (5) Development on physically constrained sites, where lot configuration, access limitations, topography, significant trees, wetlands or other natural features prevent development at the minimum density.

~~b. Flagpoles on flag lots shall be considered not buildable for the purpose of calculating densities.~~

~~e.b.~~ The density standards may be averaged over more than one development phase (i.e., as in a master planned development).

~~d.c.~~ Duplex used to comply with the density standard shall be so designated on the final subdivision plat.

~~e.d.~~ The residential density standard of the Residential District does not apply to accessory dwellings, due to the small size and low occupancy level of the use.

5. Minimum Yard Requirements.

~~B.a.~~ Front yard setbacks shall be a minimum of 40-15 feet ,with the following exceptions:

~~(1) and p~~ Public and institutional buildings shall have no minimum front yard setback.

~~(2)~~ (1) Garages shall be set back a minimum of 20-20 feet from the front

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property line and shall be set back a minimum of 465 feet ~~and maximum of 6 feet the house~~ from the longest wall of the front facade of the house.

~~(3)(2)~~ When a new structure is to be located within 30 feet of an existing single family residence that is on an adjacent lot or parcel with the same street frontage, the new structure shall be set back within 10 feet of the front setback provided by the nearest single family residence. If the new building is to be located between Steps are permitted within the front yard setback. For new buildings proposed between two existing residences with the same street frontage ~~as the new building~~, the minimum front setback for the new building shall be the average front setback of both adjacent residences, plus or minus 10-5 feet from the average.

b. Side yard. Setbacks shall be five-ten (510) feet from any property line, except:

(1) Corner lots shall have a side yard next to the street of 10 feet.

(2) Where building height transition is required under Section.

Note:

- 1. ~~Otak is researching standards that vary the setback depending on the height and side wall area of the proposed structure. A building height transition standard is attached in Appenidix A.~~*

C.c. Rear yard. Primary structures shall be set back not less than 10-feet from the rear property line. Accessory structures that require a building permit shall be set back not less than five (5) feet from the rear property line. ~~Accessory structures that do not require a building permit shall be set back not less than three (3) feet from the rear property line.~~

D.d. ~~Public or Private~~ Schools. Any building used for school purposes ~~Schools~~ shall provide and maintain setbacks of 50 feet from side and rear property lines, except on the street side of a corner lot where a setback of at least 25 feet shall be required. Alleys contiguous to or within the property being used for school purposes may be included in the required setback. This provision does not apply to residences used for home schooling.

e. ~~Setback Exceptions. The following architectural features are allowed to eneroach into the yard setbacks: eaves, chimneys, bay windows, overhangs, and similar architectural features may eneroach into setbacks by no more than 3 feet. Porches, decks and similar structures not exceeding 3 feet in height may eneroach into setbacks by no more than 3 feet, subject to front yard setback provisions.~~

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[Adopted A-133K 12/1/1998]

6. Maximum Height Standards

- a. Residential Buildings. The maximum ~~structural~~ height shall be 35 feet.
- ~~b.~~ b. Accessory Buildings, including accessory dwellings. The maximum structural height shall be ~~25-15~~ feet. The maximum height may be 25 feet if a living unit is provided on the second floor.
- ~~c.~~ c. Garages. Garages shall not exceed the maximum height of the primary structure.

Note:

1. The 25-foot number was recommended in the Code Concepts Report. It has been clarified here to limit the additional height to when there is a living unit.
2. A building height definition is attached in Appendix A.

~~c. All other buildings shall not exceed three stories or 35 feet in height, whichever is less.~~

7. Parking and Access Requirements

See ARTICLE VIII for parking and access requirements.

8. Sign standards

See Sign Ordinance for requirements.

9. Standards for Agriculture and Livestock Uses

- a. The total maximum number of animals permitted on a lot shall be as follows. (Area computation may be utilized one time only for allowable animal count):

Type of Animals Allowed	Minimum Square Feet Required	Square Feet per Animal Required
Horses, Cows, Pigs, Llama	40,000	40,000
Goats, Sheep (no male goats)	20,000	10,000
Bee Colonies (per hive) <u>Bee Colonies (per hive)</u>	10,000 <u>10,000</u>	10,000 <u>10,000</u>
Fowl, Fowl, Rabbits <u>(no roosters if neighbors object)</u>	4,000	2,000; (maximum of 10 on 40,000 square feet)

Notes:

1. It is recommended that this section be relocated to the new Design Standards chapter (Article VIII, Section G) so it can be referenced from multiple zones

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~~10. Standards for Manufactured Homes on Individual Lots~~

10. Transition Use Locational Standards.

a. Applicability. This section applies to uses referenced in Section ~~A(A)~~ (2) above.

b. Locational standards. All buildings and uses subject to this section shall meet all of the following standards:

- (1) Adjacent to the Central Business District or Highway Commercial District or Light Industrial, either by sharing a property line or across a street or alley;
- (2) On at least one (1) collector or arterial street.

~~13. Design Standards~~

~~1. Purpose. The Design Standards are intended to provide detailed, human-scale design, while affording flexibility to use a variety of building styles.~~

~~a. Applicability. This section applies to all of the following types of buildings, and shall be applied during Site Design Review:~~

- ~~(1) Single family attached townhomes with three or more attached units;~~
- ~~(2) Multi-family housing (four units on a lot, or four-plex);~~
- ~~(3) Public and institutional buildings (i.e., hospitals, nursing homes, schools);~~
- ~~(4) Live/work buildings.~~
- ~~(5) Boarding, lodging, or rooming house.~~

~~b. Trash receptacles. Trash receptacles shall be oriented away from adjacent buildings and shall be completely screened with an evergreen hedge or solid fence or wall of not less than 6 feet in height.~~

~~c. Parking lots. Multi-family pParking areas with more than 2 off street spaces shall be screened with an evergreen hedge or fence at least four (4) feet high. To the greatest extent practicable, multi-family such parking areas should be situated away from neighboring residential units and shall be located to the rear or side of the multi-family development. Multi-family pParking areas with 5 or more spaces shall be landscaped and provide the required number of parking spaces in accordance with Section VIII of this Code. (See Appendix Page 5, Townhomes and Multiplex Housing with Alley Access)~~

~~d. Building scale. No more than four (4) dwelling units per structure. Development sites may have more than one structure.~~

~~e. Private open space standards. Private open space areas shall be required for ground floor and upper floor housing units based on all of the following standards:~~

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- a. All ground floor housing units shall have front or rear patios or decks measuring at least 48 square feet. Ground floor housing means the housing unit entrance (front or rear) is within 5 feet of the finished ground elevation (i.e., after grading and landscaping);
- b. All upper floor housing units shall have balconies or porches measuring at least 36 square feet. Upper floor housing means housing units which are more than 5 feet above the finished grade; and
- c. Private open space areas shall be oriented toward common open space areas and away from adjacent single family residences, trash receptacles, parking and drives to the greatest extent practicable.

(1) Storage. If no garage is provided, each multi family unit shall include an enclosed storage area sufficient to hold bicycles, yard equipment, etc:

(2) 16. Home Occupation Standards.

Note: It is recommended the Home Occupation standards be relocated to its own new subsection (Article VIII, Subsection H,) so they can be referenced from multiple zones.

(3) a. Appearance of Residence:

(4) —

(5) (1) The home occupation shall be restricted to lawfully built enclosed structures and be conducted in such a manner as not to give an outward appearance of a business.

(6) (2) The home occupation shall not result in any structural alterations or additions to a structure that will change its primary use or building code occupancy classification.

(7) (3) The home occupation shall not violate any conditions of development approval (i.e., prior development permit approval).

(8) (4) No products and or equipment produced or used by the home occupation may be displayed to be visible from outside any structure.

(9) —

(10) b. Storage:

(11) —

(12) (1) Outside storage, visible from the public right of way or adjacent properties, is prohibited.

(13) (2) On site storage of hazardous materials (including toxic, explosive, noxious, combustible or flammable) beyond those normally incidental to

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- residential use is prohibited.
- ~~(14) (3) Storage of inventory or products and all other equipment, fixtures, and activities associated with the home occupation shall be allowed in any approved structure.~~
- ~~(15) —~~
- ~~(16) c. Employees:~~
- ~~(17) —~~
- ~~(18) (1) Other than family members residing within the dwelling located on the home occupation site, there shall be no more than one full time equivalent employee at the home occupation site at any given time. As used in this chapter, the term "home occupation site" means the lot on which the home occupation is conducted.~~
- ~~(19) (2) Additional individuals may be employed by or associated with the home occupation, so long as they do not report to work or pick up/deliver at the home.~~
- ~~(20) (3) The home occupation site shall not be used as a headquarters for the assembly of employees for instruction or other purposes, including dispatch to other locations.~~
- ~~(21) —~~
- ~~(22) d. Advertising and Signs. Any signs shall comply with the Sign Ordinance.~~
- ~~(23) —~~
- ~~(24) e. Vehicles, Parking and Traffic:~~
- ~~(25) —~~
- ~~(26) (1) One commercially licensed vehicle associated with the home occupation is allowed at the home occupation site. It shall be of a size that would not overhang into the public right of way when parked in the driveway or other location on the home occupation site.~~
- ~~(27) (2) There shall be no more than three commercial vehicle deliveries to or from the home occupation site daily. There shall be no commercial vehicle deliveries during the hours of ___ p.m. to ___ a.m.~~
- ~~(28) (3) There shall be no more than two client or customer's vehicle at any one time and no more than eight per day at the home occupation site.~~
- ~~(29) f. Business Hours. There shall be no restriction on business hours, except that clients or customers are permitted at the home occupation from 7 a.m. to 7 p.m. only, subject Sections A and E, above.~~
- ~~(30) —~~
- ~~(31) g. Prohibited Home Occupation Uses:~~
- ~~(32) —~~
- ~~(33) (1) Any activity that produces~~

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radio or TV interference, noise, glare, vibration, smoke or odor beyond allowable levels as determined by local, state or federal standards, or that can be detected beyond the property line is prohibited.

- ~~(34)~~ (2) _____ Any activity involving on-site retail sales is prohibited, except that the sale of items that are incidental to a permitted home occupation is allowed. For example, the sale of lesson books or sheet music from music teachers, art or craft supplies from arts or crafts instructors, computer software from computer consultants, and similar incidental items for sale by home business are allowed subject to A-F, above.
- ~~(35)~~ (3) _____ Any uses described in this section or uses with similar objectionable impacts because of motor vehicle traffic, noise, glare, odor, dust, smoke or vibration, such as:
 - ~~(36)~~ (a) _____ Ambulance service;
 - ~~(37)~~ (b) _____ Animal hospital; veterinary services, kennels or animal boarding;
 - ~~(38)~~ (c) _____ Auto and other vehicle repair, including auto painting;
 - ~~(39)~~ (d) _____ Repair, reconditioning or storage of motorized vehicles, boats, recreational vehicles, airplanes or large equipment on-site;
 - ~~(40)~~ (e) _____ Enforcement: The City Planning Director or designee may visit and inspect the site of home occupations in accordance with this chapter periodically to insure compliance with all applicable regulations, during normal business hours, and with reasonable

11. Compliance with Design Standards and Guidelines

- a. All uses, structures and development in this district are subject to the applicable design and development standards in Article VIII.

B. Traditional Medium Residential District (TMR)

1. Purpose: The Residential District is intended to provide for medium density housing in a livable neighborhood environment, preserve the small town and historic character of the traditional core of Coburg, ensure architectural compatibility, and provide for a variety of residential housing choices and other associated uses as determined to be desirable and/or necessary.
2. Uses and Structures
 - a. Permitted Principal Uses and Structures
 - (1) Residential
 - a) Single-family detached dwellings
 - b) Single-family attached dwellings (townhomes) not to exceed four units per structure, and, subject to the design standards of Article VIII.
 - c) Duplexes
 - d) Multi-family dwellings not to exceed four units per structure, and, subject to the design standards of Article VIII.
 - ~~— Accessory dwellings~~
 - e) Group homes
 - f) Manufactured homes³ on individual lots as provided in Article VIII, Section G.
 - g) Manufactured dwelling parks⁴
 - h) Residential Homes and Residential Facilities, as defined by ORS 197.660-.670
 - (2) Home occupations as provided in Article VIII, Section H.
~~Agricultural uses crop cultivation and animal husbandry subject to Nuisance Ordinance criteria and Section 9 requirements.~~
~~— Gardens and greenhouses for non-commercial purposes.~~
 - (3) Public and Institutional
 - a) Places of worship, subject to the locational standards in Section 10.
 - ~~— Public and private schools subject to the locational standards in Section 10.~~
 - (4) Live-Work Buildings, subject to the locational standards in Section 10.
~~Bed and Breakfast Inns, subject to the locational standards in Section 10.~~
 - (5) Child care center providing care to six or fewer children. Child care centers with 7-12 children are permitted~~12 or fewer children,~~ subject to the locational standards in Section 7.10.
 - ~~— Permitted Accessory Uses, Structures and Dwelling Units~~

³ Manufactured homes do not include residential trailers constructed before 1962, mobile homes constructed between 1962 and 1976, or Recreational Vehicles.

⁴ A manufactured dwelling park includes manufactured homes constructed since 1976, mobile homes, and residential trailers, but does not include recreational vehicles.

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~~Accessory buildings and uses, such as garages or sheds, are permitted when necessary and normal to the uses permitted in this district. One accessory dwelling unit is permitted on a lot with a single family detached or attached dwelling, subject to the requirements in Section 10.~~

Notes:
1. ADU standards were deleted during the Smart Development Advisory Committee process, with the intent to replace them during the current Code Update process. ~~Text will be drafted for review in September. Accessory Dwelling Unit Standards are attached in Appendix A.~~

- b. Special Exceptions (Conditional Uses). The following uses require a conditional use permit under the procedure, criteria, and standards of Article X.
- (1) Boarding, lodging or rooming house.
 - (2) Child care center-providing care to thirteen or more children.
 - (3) Nursing homes.
 - (4) Public parks, playgrounds and community centers.
 - (5) Public and semi-public buildings.
 - (6) Public, private and parochial schools that do not meet the locational standards in Section 10.
 - ~~Railroad right of way.~~
 - (6) Places of worship that do not meet the locational standards of section 10
 - (7) Agricultural uses crop cultivation and animal husbandry (including bee colonies) subject to Nuisance Ordinance criteria and Section 9 requirements.
 - a) Gardens and greenhouses for non-commercial purposes.

d. Prohibited Uses

- (1) All uses not listed as permitted, accessory or conditional uses are prohibited.

3. Minimum Lot Requirements and Maximum Residential Density

- a. Until sanitary sewer is available, For areas not served by sanitary sewers, the minimum lot requirements shall be as follows:

<u>Number of Units</u>	<u>Sq. Ft./lot</u>	<u>Min. Avg. Width</u>	<u>Max. Lot. Cov.</u>
<u>Single Family</u>	<u>10,000</u>	<u>60 ft.</u>	<u>30%</u>
<u>Two-Family</u>	<u>12,000</u>	<u>70 ft.</u>	<u>35%</u>
<u>Three-Family</u>	<u>16,000</u>	<u>80 ft.</u>	<u>40%</u>
<u>Four-Family</u>	<u>20,000</u>	<u>90 ft.</u>	<u>45%</u>

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- b. After sanitary sewer is available, For areas served by sanitary sewers, the minimum lot requirements shall be as listed below. The maximum density permitted on any parcel shall be 13 dwelling units per acre, not including accessory dwelling units.

<u>Number of Units</u>	<u>Min. Sq. Ft./lot¹</u>	<u>Min. Avg. Width¹</u>	<u>Max. Lot. Cov.</u>
<u>Single Family Detached</u>	<u>3,350</u>	<u>30 ft.</u>	<u>5030%</u>
<u>Duplex Single Family Attached</u>	<u>6,700</u>	<u>60 ft.</u>	<u>5035%</u>
<u>Single Family Attached</u>	<u>3,350</u>	<u>30 ft.</u>	<u>6545%</u>
<u>Multiple Family</u>	<u>10,000</u>	<u>80 ft.</u>	<u>5045%</u>

¹Unless varied through lot size averaging

Lot Size Averaging Once Sewers are Available. Lot size averaging is allowed to promote flexibility in site design with the intent of preserving natural features.

Single family detached residential lot sizes may be averaged to allow lots less than the minimum lot size in the residential district, as long as the average area for all lots within the development is not less than allowed by the district, and, the maximum density for the district is not exceeded.

When averaging, the minimum lot requirement are:

<u>Number of Units</u>	<u>Min. Sq. Ft./lot</u>	<u>Min. Avg. Width</u>	<u>Max. Lot. Cov.</u>
<u>Single Family Detached</u>	<u>2,500</u>	<u>20 ft.</u>	<u>60%</u>
<u>Duplex Single Family Attached</u>	<u>5,000</u>	<u>45 ft.</u>	<u>60%</u>
<u>Single Family Attached</u>	<u>2,500</u>	<u>20 ft.</u>	<u>75%</u>
<u>Multiple Family</u>	<u>8,000</u>	<u>60 ft.</u>	<u>60%</u>

4. Minimum Residential Density Standards

The following density standards apply to all new development ~~oneewhere~~ sanitary sewers are available. The standards are intended to ensure efficient use of buildable lands and provide for a range of needed housing.

- a. When lots are created through a land division, or site development is proposed for four or more dwelling units, a minimum density of 80 percent of the maximum density permitted by the zone is required for all residential units, except that this standard does not apply to the following

developments:

- (1) Partitions
 - (2) Subdivisions of parcels totaling 20,000 square feet or less;
 - (3) Lot line adjustments;
 - (4) Bed and Breakfast inns; and
 - (5) Development on physically constrained sites, where lot configuration, access limitations, topography, significant trees, wetlands or other natural features prevent development at the minimum density.
- b. Flagpoles on flag lots shall be considered not buildable for the purpose of calculating densities.
- c. The density standards may be averaged over more than one development phase (i.e., as in a master planned development).
- d. Duplex and townhomes used to comply with the density standard shall be so designated on the final subdivision plat.
- e. The residential density standard of this district does not apply to accessory dwellings, due to the small size and low occupancy level of the use.
5. Minimum Yard Requirements.
- a. Front yard setbacks shall be a minimum of 4015 feet, with the following exceptions:
- Public and institutional buildings shall have no minimum front yard setback.
- (1) Garages shall be set back a minimum of 20 feet from the front property line and shall be set back a minimum of 5 feet from the front of the house feetlongest wall of the front façade of the house. Garages shall comply with the applicable standards in Article VIII.
 - (2) Steps are permitted within the 10 foot front yard setback.
 - (3) When a new structure is to be located within 30 feet of an existing single family residence that is on an adjacent lot or parcel with the same street frontage, the new structure shall be set back within 10 feet of the front setback provided by the nearest single family residence. If the new building is to be located between two existing residences with the same street frontage as the new building, the minimum front setback for the new building shall be the average front setback of both adjacent residences, plus or minus 105 feet from the average.
- b. Side yard. Setbacks shall be fiveten (510) feet from any property line, except: corner lots shall have a side yard next to the street of 10 feet.
- (1) Corner lots shall have a side yard next to the street of 10 feet.
 - (2) Where building height transition is required under Section

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Note:

1. ~~Otak is researching standards that vary the setback depending on the height and side wall area of the proposed structure. A building height transition standard is attached in Appendix A.~~

- c. Rear yard. Primary structures shall be set back not less than 10-feet from the rear property line. Accessory structures that require a building permit shall be set back not less than five (5) feet from the rear property line. Accessory structures that do not require a building permit shall be set back not less than three (3) feet from the rear property line.

~~Public or Private Schools. Any building used for school purposes shall provide and maintain setbacks of 50 feet from side and rear property lines, except on the street side of a corner lot where a setback of at least 25 feet shall be required. Alleys contiguous to or within the property being used for school purposes may be included in the required setback.~~

- d. Setback Exceptions. The following architectural features are allowed to encroach into the yard setbacks: eaves, chimneys, bay windows, overhangs, and similar architectural features may encroach into setbacks by no more than 32 feet. Porches, decks and similar structures not exceeding 32 feet in height may encroach into setbacks by no more than 32 feet, subject to front yard setback provisions.

6. Maximum Height Standards

- a. Residential Buildings. The maximum structural height shall be 35 feet.
- b. Accessory Buildings, including accessory dwellings. The maximum structural height shall be 15 feet. The maximum height may be 25 feet if a living unit is provided on the second floor.

Note:

1. *The 25-foot number was recommended in the Code Concepts Report.*

~~c. Garages. Garages shall not exceed the maximum height of the primary structure.~~

~~d. All other buildings shall not exceed three stories or 35-feet, whichever is less.~~

7. Parking and Access Requirements

See ARTICLE VIII for parking and access requirements.

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8. Sign standards

See Sign Ordinance for requirements.

9. Standards for Agriculture and Livestock Uses

- a. The total maximum number of animals permitted on a lot shall be as follows. (Area computation may be utilized one time only for allowable animal count):

<u>Type of Animals Allowed</u>	<u>Minimum Square Feet Required</u>	<u>Square Feet per Animal Required</u>
<u>Horses, Cows, Pigs, Llama</u>	<u>40,000</u>	<u>40,000</u>
<u>Goats, Sheep</u>	<u>20,000</u>	<u>10,000</u>
<u>Bee Colonies (per hive)</u>	<u>10,000</u>	<u>10,000</u>
<u>Fowl, Rabbits</u>	<u>4,000</u>	<u>2,000; (maximum of 10 on 40,000 square feet)</u>
<u>TYPE OF ANIMALS ALLOWED</u>	<u>MINIMUM SQUARE FEET REQUIRED</u>	<u>SQUARE FEET PER ANIMAL REQUIRED</u>
<u>Horses, Cows, Pigs, Llama</u>	<u>40,000</u>	<u>40,000</u>
<u>Goats, Sheep (no male goats)</u>	<u>20,000</u>	<u>10,000</u>
<u>Bee Colonies (per hive)</u>	<u>10,000</u>	<u>10,000</u>
<u>Fowl, Rabbits (no roosters if neighbors object)</u>	<u>4,000</u>	<u>2,000; (maximum of 10 on 40,000 square feet)</u>

10. Transition Use Locational Standards.

- a. Applicability. This section applies to uses referenced in Section A (2) above.
- b. Locational standards. All buildings and uses subject to this section, shall meet all of the following standards:
- (1) Adjacent to the Central Business District or Highway Commercial District or Light Industrial, either by sharing a property line or across a street or alley;
 - (2) On at least one (1) collector or arterial street.

11. Compliance with Design Standards and Guidelines

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- a. All uses, structures and development in this district are subject to the applicable design and development standards in Article VIII.

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with Otak edits July 29, 2004