

Chapter 18.25

RESIDENTIAL ZONE ~~SINGLE-FAMILY~~ LOW-DENSITY (~~RLDRS-5~~)

18.25.010 Description and purpose.

The residential low-density ~~single-family residential (RLD RS-5)~~ zone is intended to provide a stable, healthful and livable residential environment with a variety of residential options, together with the full range of urban services, for those residents choosing to live in neighborhoods where small economic enterprises, such as home occupations and neighborhood commercial activity, can occur in a manner compatible with a low-density single-family, small town, neighborhood character. [Ord. 943 § 1 (Exh. A), 2018; Ord. 817 § 8-3C.110, 2006.]

18.25.020 Buildings and uses permitted subject to Type I permit review.

No building, structure or land shall be used, and no building or structure shall be hereafter erected, enlarged or structurally altered, except for the following uses:

- A. Single-family detached dwellings.
- B. Manufactured homes that are multi-sectional and a minimum of 1,000 square feet, not including garage or carport; however, manufactured homes are prohibited within the Old Town district or other historic districts.

C. F. Accessory dwelling units on individual lots, subject to the provisions of Chapter [18.165](#) TMC, Accessory Dwelling Unit.

Commented [ED1]: ADUs are allowed per SF detached residential unit, as specified in 18.165, not a per lot basis.

D. Single-family common-wall dwellings.

Commented [ED2]: This is essentially a duplex that straddles two lots, allowing for separate ownership, which seems consistent with Council direction to permit duplexes in this zone.

E. Duplex dwellings.

F. Residential care homes.

Commented [ED3]: Residential care homes are to be allowed anywhere that single-family detached dwellings are and regulated similarly to avoid discrimination.

G. Home occupations, subject to the provisions of Chapter [18.170](#) TMC.

H. Agricultural uses, including field crops, truck gardening, berry crops, orchards, raising of bees, rabbits and poultry, and raising and grazing of horses, cows, sheep and goats. Keeping of animals shall be subject to the following additional restrictions:

1. Swine shall not be permitted.
2. Horses, cows, goats and sheep shall not be permitted on any lot less than 20,000 square feet in area; no more than two head of livestock over six months of age shall be kept per acre of property area; and no livestock shall be kept within 100 feet of any dwelling other than the one on the same property.
3. Bees may be kept provided there are not more than two colonies on any one lot and that there shall be a minimum of 8,000 square feet of lot size.
4. The number of chickens, fowl and/or rabbits over the age of six months shall not exceed one for each 1,000 square feet of property; the number of young chickens, fowl and/or rabbits (under six months) shall not exceed three times the allowable number of animals over six months.
5. Animals, including chickens or fowl, shall be properly fenced, caged or housed and proper sanitation shall be maintained at all times.

I. Accessory buildings and structures, including private garages, guest houses, storage sheds for garden equipment, private greenhouses, solar energy collectors or other energy-conserving devices and equipment used for the mounting or operation of such devices, stables, barns and other uses determined to be similar by the planning staff advisor or commission.

J. Other uses determined by the planning commission to be similar to those listed above.

[Ord. 943 § 1 (Exh. A), 2018; Ord. 817 § 8-3C.120, 2006.]

18.25.030 Buildings and uses permitted subject to Type II site development plan review.

No building or structure shall be hereafter erected, enlarged or structurally altered; neither shall any land be developed, except for the following uses, which are subject to the site development plan review process in Chapter [18.150](#) TMC:

A. Two or three ~~detached single-family dwellings~~ ~~main buildings~~ on an individual lot; provided, that there shall be a minimum of ~~6,000~~ ~~8,000~~ square feet of lot area per dwelling unit.

Commented [ED4]: This appears to be a work-around to partitioning properties, though 18.95.040.A requires that the dwelling and the tax lot be under common ownership, so application of this standard would be limited (no sale of 2nd or 3rd dwelling permitted). Review whether this use type is commonly used, or remove.

B. Cluster housing, subject to the provisions of Chapter 18.162 TMC.

C. Wireless communication antennas within the public right-of-way, subject to the provisions of TMC [18.130.010](#).

D. Other uses determined by the planning commission to be similar to those listed above or under TMC [18.25.020](#). [Ord. 943 § 1 (Exh. A), 2018; Ord. 817 § 8-3C.130, 2006.]

18.25.040 Buildings and uses permitted subject to Type III site development plan review.

No building or structure shall be hereafter erected, enlarged or structurally altered; neither shall any land be developed except for the following buildings and uses that are permitted subject to the provisions of Chapter [18.150](#) TMC and TMC [18.190.050](#). ~~The following uses are those that, although permissible, contain certain characteristics that can impact nearby properties. The purpose of the public hearing is to obtain points of view and suggestions from persons owning property within 250 feet of a proposed use, or their representatives, or other interested or affected persons, as to how the use may be developed on the proposed site.~~

Commented [ED5]: Rely on 18.190.050 to guide the public hearing; quasi-judicial hearing is about responding to approval criteria not “suggestions” about site development.

A. Parks and playgrounds.

B. Public and semi-public buildings essential to the physical welfare of the area, such as fire and police substations, libraries, substations, pump stations and reservoirs; provided, that each side yard on an interior lot shall be a minimum of 20 percent of the property width but not less than 10 feet.

C. Churches and other places of worship, excluding rescue missions and temporary revivals held outside of religious institution buildings. Other uses determined by the planning commission to be similar to those listed above, or under TMC [18.25.020](#) or [18.25.030](#).

D. Relocated structures. [Ord. 943 § 1 (Exh. A), 2018; Ord. 817 § 8-3C.140, 2006.]

18.25.050 Buildings and uses permitted subject to conditional use review.

The planning commission may grant or deny a conditional use permit in accordance with the procedure set forth in Chapter [18.155](#) TMC. The following uses permitted conditionally in the [RLD RS-5](#) zone meet the description and purpose set forth in Chapter [18.155](#) TMC:

- A. Hospitals, sanitariums, rest homes, homes for the aged, nursing homes, group care homes, retirement homes, and medical and dental clinics and laboratories (not including animal hospitals and clinics).
- B. Kindergartens, day nurseries and preschools.
- C. Public and private elementary, junior high and high schools and colleges.
- D. Mobile home for the infirm, subject to the supplemental provisions of TMC [18.155.070\(B\)](#).
- E. Community centers, fraternal or lodge buildings.
- F. Neighborhood grocery store located on a lot of not more than 12,000 square feet in area and where the exterior appearance has a residential appearance similar to the residences on adjacent properties.
- G. Buildings over two and one-half stories or 30 feet in height, whichever is the lesser. Such buildings must additionally meet the building height transition standards in TMC [18.90.050\(B\)](#).
- H. The having, keeping or maintaining of any apiary of more than two colonies.
- I. Other buildings, structures or uses that the planning commission determines to be similar to other uses permitted conditionally in the [RLD RS-5](#) zone. [Ord. 943 § 1 (Exh. A), 2018; Ord. 817 § 8-3C.150, 2006.]

18.25.060 Yard regulations.

- A. *Front Yard.* The front yard shall have a depth of not less than 20 feet for dwellings and 24 feet for garages and carport entrances.
- B. *Side Yard.*

1. Five feet for the first story, plus three feet for buildings over 18 feet in height. The following additional provisions shall also apply to side setbacks:

Commented [ED6]: Allows more flexibility on the smaller and narrower lots proposed.

a. Ten feet for street-facing side yards on corner lots when side street is a local or an alley; 15 feet when side street is a collector or arterial; 20 feet for garage and carport entrances.

b. Ten feet on one side for zero-lot-line lots.

c. Zero feet on one side for common-wall dwellings.

C. Rear Yard. Ten feet; five feet for alley-access garages; and 20 feet for double-frontage lots. [Ord. 943 § 1 (Exh. A), 2018; Ord. 817 § 8-3C.160, 2006.]

18.25.065 Density regulations.

A. Minimum Density. The minimum density shall be 5.8 units per acre.

B. Maximum Density.

1. For subdivisions recorded after (effective date of the ordinance), the maximum density for the subdivision shall be 10.8 units per acre provided that the minimum lot area standards in TMC 18.25.070.A are also met.

Commented [ED7]: Maximum density for individual development types based on minimum lot area is 7.2 units per acre for single-family detached to 14.4 units per acre for duplexes. A maximum in the midpoint of the range allows for a mix of residential types and prevents an entire subdivision of duplexes.

2. For all other development, including lots existing prior to (the effective date of the ordinance), maximum density shall be established through compliance with the minimum lot area standards in TMC 18.25.070.A.

Commented [ED8]: Check if lot averaging needs to be further limited.

C. Exceptions.

Commented [ED9]: This allows individual lots to be developed with all of the allowed housing types without exceeding the maximum density.

1. Accessory dwelling units shall not count towards the minimum or maximum density.

18.25.070 Lot area and dimensions.

In the RLD RS-5 zone, the minimum lot area shall be as follows:

A. Minimum Lot Area. (For rules on lot averaging, refer to TMC 17.15.030(C)(1)(a).)

1. Eight Six thousand square feet.

2. Corner lots: 9,000 square feet.

B. Minimum Lot Area per Dwelling Unit.

1. Eight thousand square feet.

C. Minimum Lot Width.

1. Sixty-five Fifty feet; reducible to 40 50 feet to permit flag lot partitioning.

D. Maximum Building Bulk.

1. Height: 30 feet.

2. Building coverage: 50 35 percent.

E. Nonconforming Lots of Record. A lot having an area of less than 6,000 8,000 square feet of record at the time of the passage of the ordinance codified in this title (June 24, 1980) may be occupied by one single-family dwelling if all other dimensional requirements of the zone are complied with. [Ord. 943 § 1 (Exh. A), 2018; Ord. 817 § 8-3C.170, 2006.]

Commented [ED10]: Replaced by density standards.

Commented [ED11]: Reducing the minimum lot size for all lots should reduce the number of nonconforming lots less than 8,000 SF, but this preserves development rights for any remaining nonconforming lots less than 6,000 SF.

18.25.080 Landscaping, fences, walls and signs.

In the RLD RS-5 zone, all required landscaping shall be installed in accordance with Chapter 18.105 TMC including any required perimeter buffer in accordance with TMC 18.105.050.

Fences and walls shall be permitted in accordance with Chapter 18.105 TMC. Signs shall be permitted in accordance with Chapter 18.120 TMC. [Ord. 943 § 1 (Exh. A), 2018; Ord. 918 § 3 (Exh. A), 2016; Ord. 817 § 8-3C.180, 2006.]

Commented [ED12]: Make transitional buffers non-discretionary, and reference updated standards.

18.25.090 Single family transitions.

Single family development that is adjacent to nonresidential zones may be required to provide a transitional buffer in accordance with TMC 18.105.050(B). [Ord. 943 § 1 (Exh. A), 2018; Ord. 918 § 3 (Exh. A), 2016; Ord. 817 § 8-3C.190, 2006.]

Commented [ED13]: Remove discretionary standard

Chapter 18.30
RESIDENTIAL ZONE ~~SINGLE-FAMILY~~ MEDIUM-DENSITY
(~~RMDRS-7~~)

18.30.010 Description and purpose.

The medium-density ~~single-family~~ residential (~~RMD_RS-7~~) zone is intended to provide a stable, healthful and livable residential environment ~~with a variety of residential options~~ together with the full range of urban services, for those residents choosing to live in neighborhoods where small economic enterprises, such as home occupations and neighborhood commercial activity, can occur in a manner compatible with a ~~single-family~~ small town, neighborhood character. [Ord. 943 § 1 (Exh. A), 2018; Ord. 817 § 8-3C.210, 2006.]

18.30.020 Buildings and uses permitted subject to Type I permit review.

No building, structure or land shall be used, and no building or structure shall be hereafter erected, enlarged or structurally altered, except for the following uses:

- A. Single-family detached dwellings.
- B. Manufactured homes that are multi-sectional and a minimum of 1,000 square feet, not including garage or carport; however, manufactured homes are prohibited within the Old Town district or other historic districts.
- ~~C. F.~~ Accessory dwelling units ~~on individual lots~~, subject to the provisions of Chapter [18.165](#) TMC, Accessory Dwelling Unit.
- ~~D. Single-family common-wall dwellings.~~
- ~~E. Single-family attached dwellings, subject to the provisions of~~ [TMC 18.95.080](#).
- ~~F. Duplex dwellings.~~

Commented [ED1]: Townhouse standards to be developed.

G. Residential care homes.

H. Home occupations, subject to the provisions of Chapter [18.170](#) TMC.

I. Agricultural uses, including field crops, truck gardening, berry crops, orchards, raising of bees, rabbits and poultry, and raising and grazing of horses, cows, sheep and goats. Keeping of animals shall be subject to the following additional restrictions:

1. Swine shall not be permitted.
2. Horses, cows, goats and sheep shall not be permitted on any lot less than 20,000 square feet in area; no more than two head of livestock over six months of age shall be kept per acre of property area; and no livestock shall be kept within 100 feet of any dwelling other than the one on the same property.
3. Bees may be kept provided there are not more than two colonies on any one lot and that there shall be a minimum of 8,000 square feet of lot size.
4. The number of chickens, fowl and/or rabbits over the age of six months shall not exceed one for each 1,000 square feet of property; the number of young chickens, fowl or rabbits (under six months) shall not exceed three times the allowable number of animals over six months.
5. Animals, including chickens or fowl, shall be properly fenced, caged or housed and proper sanitation shall be maintained at all times.

J. Accessory buildings and structures, including private garages, guest houses, storage sheds for garden equipment, private greenhouses, solar energy collectors or other energy-conserving devices and equipment used for the mounting or operation of such devices, stables, barns and other uses determined to be similar by the planning staff advisor or commission.

K. Other uses determined by the planning commission to be similar to those listed above.

[Ord. 943 § 1 (Exh. A), 2018; Ord. 817 § 8-3C.220, 2006.]

18.30.030 Buildings and uses permitted subject to Type II site development plan review.

No building or structure shall be hereafter erected, enlarged or structurally altered; neither shall any land be developed, except for the following uses, which are subject to the site development plan review process in Chapter [18.150](#) TMC:

A. Two or three ~~detached single-family dwellings~~ ~~main buildings~~ on an individual lot; provided, that there shall be a minimum of ~~5,000~~ ~~6,000~~ square feet of lot area per dwelling unit.

~~B. Triplex and quadplex dwellings, subject to the provisions of~~ [TMC 18.95.070](#).

~~C. Cluster housing, subject to the provisions of Chapter 18.162 TMC.~~

D. Wireless communication antennas within the public right-of-way, subject to the provisions of TMC [18.130.010](#).

E. Other uses determined by the planning commission to be similar to those listed above or under TMC [18.30.020](#), where permitted by the planning commission after written application. [Ord. 943 § 1 (Exh. A), 2018; Ord. 817 § 8-3C.230, 2006.]

Commented [ED2]: Additional development standards to be developed.

18.30.040 Buildings and uses permitted subject to Type III site development plan review.

No building or structure shall be hereafter erected, enlarged or structurally altered; neither shall any land be developed except for the following buildings and uses, which are permitted subject to the provisions of Chapter [18.150](#) TMC and TMC [18.190.050](#). ~~The following uses are those that, although permissible, contain certain characteristics that can impact nearby properties. The purpose of the public hearing is to obtain points of view and suggestions from persons owning property within 250 feet of a proposed use, or their representatives, or other interested or affected persons, as to how the use may be developed on the proposed site.~~

A. Parks and playgrounds.

- B. Public and semi-public buildings essential to the physical welfare of the area, such as fire and police substations, libraries, substations, pump stations and reservoirs; provided, that each side yard on an interior lot shall be a minimum of 20 percent of the property width but not less than 10 feet.
- C. Churches and other places of worship, excluding rescue missions and temporary revivals held outside of religious worship buildings.
- D. Other uses determined by the planning commission to be similar to those listed above, or under TMC [18.30.020](#) or [18.30.030](#).
- E. Relocated structures. [Ord. 943 § 1 (Exh. A), 2018; Ord. 817 § 8-3C.240, 2006.]

18.30.050 Buildings and uses permitted subject to conditional use review.

The planning commission may grant or deny a conditional use permit in accordance with the procedure set forth in Chapter [18.155](#) TMC. The following uses permitted conditionally in the [RMD_RS-7](#) zone meet the description and purpose set forth in Chapter [18.155](#) TMC:

- A. Hospitals, sanitariums, rest homes, homes for the aged, nursing homes, group care homes, retirement homes, and medical and dental clinics and laboratories (not including animal hospitals and clinics).
- B. Kindergartens, day nurseries and preschools.
- C. Public and private elementary, junior high and high schools and colleges.
- D. Mobile home for the infirm, subject to the supplemental provisions of TMC [18.155.070\(B\)](#).
- E. Community centers, fraternal or lodge buildings.
- F. Neighborhood grocery store located on a lot of not more than 12,000 square feet in area and where the exterior appearance has a residential appearance similar to the residences on adjacent properties.
- G. Buildings over two and one-half stories or 30 feet in height, whichever is the lesser. Such buildings must meet the building height transition standards in TMC [18.90.050\(B\)](#).

H. Other buildings, structures or uses that the planning commission determines to be similar to other uses permitted conditionally in the **RMD RS-7** zone. [Ord. 943 § 1 (Exh. A), 2018; Ord. 817 § 8-3C.250, 2006.]

18.30.060 Yard regulations.

A. *Front Yard.* The front yard shall have a depth of not less than 20 feet for dwellings and 24 feet for garages and carport entrances.

B. *Side Yard.*

1. Five feet **for the first story, plus three feet for buildings over 18 feet in height.** The following additional provisions shall also apply to side setbacks:

a. Ten feet for street-facing side yards on corner lots when side street is a local or an alley; 15 feet when side street is a collector or arterial; 20 feet for garage and carport entrances.

b. Ten feet on one side for zero-lot-line lots.

c. Zero feet for common-wall dwellings and single-family attached dwellings on side(s) with common walls.

C. *Rear Yard.* Ten feet; five feet for alley-access garages; and 20 feet for double-frontage lots. [Ord. 943 § 1 (Exh. A), 2018; Ord. 817 § 8-3C.260, 2006.]

18.30.065 Density regulations.

A. *Minimum Density.* The minimum density shall be 7.2 units per acre.

B. *Maximum Density.*

1. For subdivisions recorded after (effective date of the ordinance), the maximum density for the subdivision shall be 14.5 units per acre provided that the minimum lot area standards in TMC 18.30.070.A are met.

Commented [ED3]: Maximum density for individual development types based on minimum lot area is 10.9 units per acre for single-family detached to 21.8 units per acre for "plexes" and townhouses. A maximum in the midpoint of the range allows for a mix of residential types and prevents an entire subdivision of duplexes.

2. For all other development, including lots existing prior to (the effective date of the ordinance), maximum density shall be established through compliance with the minimum lot area standards in TMC 18.30.070.A.

Commented [ED4]: This allows individual lots to be developed with all of the allowed housing types without exceeding the maximum density.

C. Exceptions.

1. Accessory dwelling units shall not count towards the minimum or maximum density.

18.30.070 Lot area and dimensions.

In the RMD_RS-7 zone, the minimum lot area shall be as follows:

A. Minimum Lot Area. (For rules on lot averaging, refer to TMC 17.15.030(C)(1)(a).)

1. For single-family detached and duplex dwellings: 4,000 square feet. Six thousand square feet.

2. For single-family attached dwellings: 3,000 square feet. Corner lots: 7,000 square feet.

3. For triplex and quadplex dwellings: 8,000 square feet.

B. Minimum Lot Area per Dwelling Unit.

1. Six thousand square feet.

C. Minimum Lot Width.

1. Forty Five feet; reducible to 35 40 feet to permit flag lot partitioning.

2. For single-family attached dwellings: 25 feet.

Commented [ED5]: This is only a modest reduction that is primarily aimed at creating flexibility for larger lots built to the previous 50-foot standard, rather than to allow partitioning of lots built to the new 40-foot width.

D. Maximum Building Bulk.

1. Height: 30 feet.

2. Building coverage: 60 35 percent.

Commented [ED6]: Townhouses need narrower lots because dwellings are built from lot line to lot line with no setbacks.

E. Nonconforming Lots of Record. A lot having an area of less than 4,000 6,000 square feet of record at the time of the passage of the ordinance codified in this title (June 24, 1980) may

be occupied by one single-family dwelling if all other dimensional requirements of the zone are complied with. [Ord. 943 § 1 (Exh. A), 2018; Ord. 817 § 8-3C.270, 2006.]

18.30.080 Landscaping, fences, walls, and signs.

In the **RMD_RS-7** zone, all required landscaping shall be installed in accordance with Chapter [18.105](#) TMC **including any** required perimeter buffer **in accordance with TMC 18.105.050..** Fences and walls shall be permitted in accordance with Chapter [18.105](#) TMC. Signs shall be permitted in accordance with Chapter [18.120](#) TMC. [Ord. 943 § 1 (Exh. A), 2018; Ord. 918 § 3 (Exh. A), 2016; Ord. 817 § 8-3C.280, 2006.]

Commented [ED7]: Make transitional buffers non-discretionary, and reference updated standards.

~~18.30.090 — Single family transitions.~~

~~Single family development that is adjacent to nonresidential zones may be required to provide a transitional buffer in accordance with TMC [18.105.050\(B\)](#). [Ord. 943 § 1 (Exh. A), 2018; Ord. 918 § 3 (Exh. A), 2016; Ord. 817 § 8-3C.290, 2006.]~~

Chapter 18.35
RESIDENTIAL ZONE ~~SINGLE FAMILY~~ MANUFACTURED HOME
(RS-MH)

18.35.010 Description and purpose.

The manufactured home zone is intended to provide a stable, healthful and livable environment, together with the full range of urban services, ~~for those choosing to reside in manufactured homes on a permanent basis or in a~~ including manufactured home parks and neighborhoods with a variety of housing types, including both manufactured homes and single-family dwellings. Small economic enterprises, such as home occupations and neighborhood commercial activity, may occur indistinguishably or compatibly with the residential character. This zone should provide residents with neighborhoods comparable in quality with low-density residential areas. [Ord. 943 § 1 (Exh. A), 2018; Ord. 817 § 8-3C.310, 2006.]

Commented [ED1]: This zone is expected to be applied primarily to existing manufactured home parks and mixed dwelling neighborhoods, and is modeled off the RMD zone.

18.35.020 Buildings and uses permitted subject to Type I permit review.

No building, structure or land shall be used, and no building or structure shall be hereafter erected, enlarged or structurally altered, except for the following uses:

A. Manufactured home or single-family dwelling on an individual lot.

~~B. Manufactured home park, subject to the supplementary provisions of Chapter 18.180 TMC, and including common use recreation and laundry facilities.~~

Commented [ED2]: Moved to Type II site plan review use.

~~B. Duplex dwellings.~~

Commented [ED3]: Duplexes are proposed consistent with other residential zones, but additional missing middle types are not proposed since the zone is primarily intended for manufactured home parks and mixed neighborhoods with manufactured homes.

C. Residential care homes.

D. Home occupation, subject to the provisions of Chapter 18.170 TMC.

E. Other uses similar to those listed above where permitted by the planning commission after written application.

F. Accessory buildings and structures, including private garages, accessory living quarters and guest houses, storage sheds for garden equipment, private greenhouses, solar energy collectors or other energy-conserving devices and equipment used for the mounting or operation of such devices, stables, barns and other uses determined to be similar by the planning staff advisor or commission. Accessory structures that are not separated from a manufactured home are subject to the additional restrictions of TMC [18.35.100\(F\)](#) or [18.180.050\(U\)](#), as applicable.

G. Accessory dwelling units ~~on single-family lots~~, subject to the provisions of Chapter [18.165](#) TMC. [Ord. 943 § 1 (Exh. A), 2018; Ord. 817 § 8-3C.320, 2006.]

Commented [ED4]: Because manufactured homes on individual lots (outside of parks) are treated the same as site-built homes, ADUs must be permitted with both residential types

18.35.030 Buildings and uses permitted subject to Type II site development plan review.

No building or structure shall be hereafter erected, enlarged or structurally altered; neither shall any land be developed, except for the following uses, which are subject to the site development plan review process in Chapter [18.150](#) TMC:

A. ~~Manufactured home park, subject to the supplementary provisions of Chapter [18.180](#) TMC.~~

B. ~~Two or three main buildings on a detached~~ single-family or manufactured home ~~dwellings on an individual~~ lot; provided, that there shall be ~~5,000~~ ~~6,000~~ square feet of lot area per ~~single family or manufactured~~ dwelling.

Commented [ED5]: Revise consistent with any changes to this use category in other zones, potentially deleting or replacing it.

C. ~~Wireless communication antennas within the public right-of-way, subject to the provisions of TMC [18.130.010](#).~~

Commented [ED6]: Triplexes, quadplexes and cluster housing could also be added here if the zone remains broadly applied across the city; however, if zoning district extent is restricted to primarily neighborhoods with manufactured homes and parks, additional missing middle uses are not necessarily recommended, to avoid “competition” with manufactured housing as the primary purpose of the zone.

D. Other uses similar to those listed above or under TMC [18.35.020](#), where permitted by the planning commission after written application. [Ord. 943 § 1 (Exh. A), 2018; Ord. 817 § 8-3C.330, 2006.]

18.35.040 Buildings and uses permitted subject to Type III site development plan review.

No building or structure shall be hereafter erected, enlarged or structurally altered; neither shall any land be developed except for the following buildings and uses which are permitted subject to the provisions of Chapter [18.150](#) TMC and TMC [18.190.050](#). ~~The following uses are those that, although permissible, contain certain characteristics that can impact nearby properties. The purpose of the public hearing is to obtain points of view and suggestions from persons owning property within 250 feet of a proposed use, or their representatives, as to the best methods to perform or develop the use.~~

A. Parks and playgrounds.

B. Public and semi-public buildings essential to the physical welfare of the area, such as fire and police substations, libraries, substations, pump stations and reservoirs; provided, that each side yard on an interior lot shall be a minimum of 20 percent of the property width but not less than 10 feet.

C. Churches, except rescue missions and temporary revivals held outside of church buildings.

~~D. Rental apartments within existing dwellings that contain at least 2,000 square feet of floor space, including garages, where off-street parking space is provided as set forth in Chapter [18.110](#) TMC and where the exterior of the building visible from the street is not changed.~~

Commented [ED7]: This appears to be superseded by ADU standards.

~~E. A second detached single family dwelling, provided all setbacks, parking, buffering and lot coverage requirements are met and no dwelling contains less than 6,000 square feet of floor area.~~

Commented [ED8]: This seems to overlap with TMC 18.35.030.A above.

F. Travel trailer or recreation vehicle accommodations in a manufactured home park.

G. Grocery stores, drugstores, restaurants, beauty and barber shops, and other compatible uses to provide services in a manufactured home park to the occupants of the park.

H. Bins or containers along streets used for temporary storage of garbage or material for recycling.

I. Other uses similar to those listed above, or under TMC [18.35.020](#) or [18.35.030](#), where permitted by the planning commission after written application. [Ord. 943 § 1 (Exh. A), 2018; Ord. 817 § 8-3C.340, 2006.]

18.35.050 Buildings and uses permitted subject to conditional use review.

The planning commission may grant or deny a conditional use permit in accordance with the procedures set forth in Chapter [18.155](#) TMC. The following uses permitted conditionally in the RS-MH zone meet the description and purpose set forth in Chapter [18.155](#) TMC:

A. Hospitals, sanitariums, rest homes, homes for the aged, nursing homes, [residential care facilities](#) [group care homes](#), retirement homes, and medical and dental clinics and laboratories (not including animal hospitals and clinics).

Commented [ED9]: Updated term

B. Kindergartens, day nurseries and preschools.

C. Public and private elementary, junior high and high schools and colleges.

D. Manufactured home for the infirm, subject to the supplemental provisions of TMC [18.155.070\(B\)](#).

E. Golf courses, country clubs, tennis clubs and community swimming pools.

F. Community centers, fraternal or lodge buildings.

G. Cemeteries.

H. Neighborhood grocery store located on a lot of not more than 12,000 square feet in area and where the exterior appearance has a residential appearance similar to residences on adjacent properties.

I. Buildings over two and one-half stories or 30 feet in height, whichever is the lesser.

J. Other buildings, structures or uses that the planning commission determines to be similar to other uses permitted conditionally in the RS-MH zone. [Ord. 943 § 1 (Exh. A), 2018; Ord. 817 § 8-3C.350, 2006.]

18.35.060 Manufactured home park regulations generally.

Additional regulations pertaining to manufactured home parks are contained in Chapter [18.180](#) TMC. The following regulations apply to manufactured homes located on individual lots in the ~~RS~~-MH zone. [Ord. 943 § 1 (Exh. A), 2018; Ord. 817 § 8-3C.360, 2006.]

18.35.070 Yard regulations.

A. *Front Yard.* The front yard shall have a depth of not less than 20 feet for dwellings and 24 feet for garages and carport entrances.

B. *Side Yard.*

1. Five feet for the first story, ~~plus three feet for buildings over 18 feet in height.~~ The following additional provisions shall also apply to side setbacks:

a. Ten feet for street-facing side yards on corner lots when side street is a local or an alley; 15 feet when side street is a collector or arterial; 20 feet for garage and carport entrances.

b. Ten feet on one side for zero-lot-line lots.

C. *Rear Yard.* Ten feet; five feet for alley-access garages; and 20 feet for double-frontage lots. [Ord. 943 § 1 (Exh. A), 2018; Ord. 817 § 8-3C.370, 2006.]

18.25.065 Density regulations.

A. *Minimum Density.* The minimum density shall be 7.0 units per acre.

B. *Maximum Density.* The maximum density shall be 8.7 units per acre.

C. *Exceptions.*

1. Accessory dwelling units shall not count towards the minimum or maximum density.

2. Duplexes shall count as a single unit for density calculations.

18.35.080 Lot area and dimensions.

In the RS-MH zone, the minimum lot area shall be as follows:

A. *Minimum Lot Area.* (For rules on lot averaging, refer to TMC [17.15.030\(C\)\(1\)\(a\)](#).)

1. Six Five thousand square feet.

~~2. Corner lots: 7,000 square feet.~~

~~B. *Minimum Lot Area per Dwelling Unit.*~~

~~1. Six thousand square feet.~~

C. *Minimum Lot Width.*

1. Fifty feet; reducible to 40 feet to permit flag lot partitioning.

D. *Maximum Building Bulk.*

1. Height: 30 feet.

2. Building coverage: ~~35~~ 50 percent.

E. *Nonconforming Lots of Record.* A lot having an area of less than ~~5,000~~ 6,000 square feet of record at the time of the passage of the ordinance codified in this title (June 24, 1980) may be occupied by one single-family dwelling if all other dimensional requirements of the zone are complied with. [Ord. 943 § 1 (Exh. A), 2018; Ord. 817 § 8-3C.380, 2006.]

18.35.090 Landscaping, fences, walls and signs.

In the RS-MH zone, all required landscaping shall be installed in accordance with Chapter [18.105](#) TMC. Fences and walls shall be permitted in accordance with Chapter [18.105](#) TMC. Signs shall be permitted and in accordance with Chapter [18.120](#) TMC. [Ord. 943 § 1 (Exh. A), 2018; Ord. 918 § 3 (Exh. A), 2016; Ord. 817 § 8-3C.390, 2006.]

18.35.100 Additional standards for individual manufactured homes installation and occupancy in the RS-MH zone.

(See also Chapter 18.95 TMC). Installation and occupancy of manufactured homes on individual lots will be subject to the following additional requirements:

A. Size. The manufactured home shall be multisectional and enclose a space of not less than 600 square feet.

B. Foundation. The manufactured home shall be placed on an excavated and back-filled foundation and enclosed at the perimeter such that the manufactured home is located not more than 12 inches above grade.

C. Roof Pitch. The manufactured home shall have a pitched roof with a nominal slope of at least three feet (3') in height for each twelve feet (12') in width.

D. Siding and Roofing Requirements. The manufactured home shall comply with siding and roofing standards in TMC 18.95.040.

E. Thermal Performance. The manufactured home shall be certified by the manufacturer to have an exterior thermal envelope meeting performance standards which reduce heat loss to levels equivalent to the performance standards required of single family dwellings constructed under the State Building Code as defined in ORS 455.010.

F. Nothing in this section shall allow a manufactured home to be placed on residential land immediately adjacent to a designated historic landmark or historic resource as defined in Chapter 18.175 TMC, or any other property with a historic designation for tax or assessment purposes.

G. Manufactured homes shall also meet applicable standards of Chapter 18.95 TMC.

A. The manufactured home shall be equipped with a toilet, lavatory and bathtub or shower, and with a kitchen area.

B. No manufactured home shall be occupied until it is connected with the public water and sewer systems.

Commented [ED10]: These standards are taken from the state standards allowed for manufactured dwellings in ORS 197.307(8), to prevent discrimination against manufactured homes and ensure provision of this needed housing type. Standards can be less strict than these, but not more restrictive.

Commented [ED11]: The existing minimum is 600 SF, which is more permissive than the 1,000 SF allowed by state statute.

C. The manufactured home shall have its wheels removed and be placed on a concrete, concrete block, or similar foundation and, unless the foundation is continuous, shall have continuous skirting (conforming to state standards) installed within 60 days of occupancy.

D. Installation of a manufactured home on a lot shall be limited to a lot owned by the owner of the manufactured home.

E. If the manufactured home is removed from its foundation and not replaced with another manufactured home, the owner shall remove the foundation and permanently disconnect the sewer, water and other utilities. If the owner fails to accomplish this work within 45 days from the date the manufactured home is removed from its foundation, the city may perform the work and place a lien against the property for the cost of the work.

F. Any manufactured home accessory building or structure that is not visually separated from a manufactured home shall be constructed with material and appearance compatible with the manufactured home. This does not apply to patios, porches and decks, or out-buildings that are separated from the manufactured home.

G. The manufactured home shall be in a condition that conforms to one of the following construction standards:

1. A manufactured home constructed after April 1972 shall bear the Oregon insigne of compliance to standards in effect in Oregon at the time of construction.

2. A manufactured home constructed prior to April 1972 shall be in a condition that is not less than the substantial equivalent of any construction standards in effect in Oregon after April 1972, as determined by the building official.

H. The manufactured home shall have a minimum area of 600 square feet, as determined by measurement of the exterior dimensions of the unit exclusive of any trailer hitch device.

Space within a manufactured home accessory structure shall not be included in the computation of minimum area. [Ord. 943 § 1 (Exh. A), 2018; Ord. 847 § 4 (Exh. B), 2008; Ord. 817 § 8-3C.395, 2006.]

Chapter 18.40
**RESIDENTIAL ZONE – ~~MULTIPLE-FAMILY~~ HIGH-DENSITY (~~RHD~~
~~RM-22~~)**

18.40.010 Description and purpose.

The residential ~~multiple-family~~ high-density (~~RHD_RM-HD~~) zone is intended to provide a healthful and livable residential environment, together with the full range of urban services, for a variety of housing units at densities higher than provided for in other residential zones. This zone is also intended to accommodate housing alternatives to conventional housing and an area where small economic enterprises, such as home occupations and neighborhood commercial activity, can occur indistinguishably or compatibly with the residential character. It is generally intended that high-density residential zones will be situated in close proximity to activity centers and major streets. [Ord. 943 § 1 (Exh. A), 2018; Ord. 817 § 8-3C.410, 2006.]

18.40.020 Buildings and uses permitted subject to Type I permit review.

No building, structure, or land shall be used, and no building or structure shall be hereafter erected, enlarged or structurally altered, except for the following uses:

- A. Use of existing structures for the permitted uses listed in TMC [18.40.030](#) and [18.40.040](#), where all the provisions of this title and any amendment thereto are met.
- B. Home occupations, subject to the provisions of Chapter [18.170](#) TMC.
- C. Alteration or expansion of and existing single-family dwellings.

D.E. Accessory dwelling units ~~on single-family lots~~, subject to the provisions of Chapter [18.165](#) TMC.

E. Duplex dwellings.

- F. Other uses determined by the Planning Commission to be similar to those listed above.

[Ord. 943 § 1 (Exh. A), 2018; Ord. 817 § 8-3C.420, 2006.]

18.40.030 Buildings and uses permitted subject to Type II site development plan review.

No building or structure shall be hereafter erected, enlarged or structurally altered; neither shall any land be developed, except for the following uses, which are subject to the site plan review process in Chapter [18.150](#) TMC:

- A. Multiple-family dwellings ~~(up to four dwelling units on a single parcel)~~
- B. Attached single-family dwellings developments ~~(up to four condominiums, row houses and townhouses on a single parcel) provided the minimum density of 13.7 units/net acre is achieved (net acre is the total development acreage net of undevelopable lands and a 24 percent reduction allowing for infrastructure).~~
- C. Triplex and quadplex dwellings, subject to the provisions of TMC [18.95.070](#).
- D. Cluster housing, subject to the provisions of Chapter [18.162](#) TMC.
- E. Residential care facilities.
- F. Boarding and rooming houses ~~not exceeding accommodations for five residents.~~
- G. Conversion of existing single-family dwellings to multifamily units, up to four dwelling units, provided each unit shall have no less than 450 square feet of living area and 250 square feet of open space in compliance with the provision of TMC [18.40.070](#).
- H. Wireless communication antennas within the public right-of-way, subject to the provisions of TMC [18.130.010](#).
- I. Other uses determined by the Planning Commission to be similar to those listed above or under TMC [18.40.020](#). [Ord. 943 § 1 (Exh. A), 2018; Ord. 817 § 8-3C.430, 2006.]

Commented [ED1]: A clear and objective review option for multifamily development of any size should be provided, rather than limited to small-scale projects. If there is concern about intensity of development, consider requiring CUP or Type III review for projects over a certain height or density.

Commented [ED2]: Density addressed below.

Commented [ED3]: Similar to residential care homes, the larger residential care facilities must be permitted in any zone where multifamily development is permitted.

Commented [ED4]: The boarding house definition already limits the use to five rooms.

18.40.040 Buildings and uses permitted subject to Type III site development plan review.

No building or structure shall be hereafter erected, enlarged or structurally altered; neither shall any land be developed except for the following buildings and uses, which are permitted subject to the provisions of Chapter [18.150](#) TMC and TMC [18.190.050](#). ~~The following uses are those that, although permissible, contain certain characteristics that can impact nearby properties. The purpose of the public hearing is to obtain points of view and suggestions from persons owning property within 250 feet of a proposed use, or their representatives, or other interested or affected persons, as to whether and how the use can be located on the designated site.~~

~~A. Multiple family dwellings (more than four dwelling units on a single parcel).~~

~~B. Attached single family dwelling developments (more than four condominiums, row houses and townhouses on a single parcel) provided the minimum density of 13.7 units/net acre is achieved (*net acre* is the total development acreage net of undevelopable lands and a 24 percent reduction allowing for infrastructure). Any use in Section 430, above, that exceeds the size thresholds listed.~~

A. Parks and playgrounds.

B. Public and semi-public buildings essential to the physical welfare of the area; such as fire and police substations, libraries, substations, pump stations and reservoirs; provided, that each side yard on an interior lot shall be a minimum of 20 percent of the property width but no less than 10 feet.

C. Churches and other places of worship, excluding rescue missions and temporary revivals held outside of religious worship buildings.

D. Kindergartens, day nurseries and preschools.

E. Other uses determined by the Planning Commission to be similar to those listed above, or under TMC [18.40.020](#) or [18.40.030](#). [Ord. 943 § 1 (Exh. A), 2018; Ord. 817 § 8-3C.440, 2006.]

18.40.050 Buildings and uses permitted subject to conditional use review.

The planning commission may grant or deny a conditional use permit in accordance with the procedure set forth in Chapter [18.155](#) TMC. The following uses permitted conditionally in the [RHD, RM-22](#)-zone meet the description and purpose set forth in Chapter [18.155](#) TMC:

- A. Hospitals, sanitariums, rest homes, homes for the aged, nursing homes, group care homes, retirement homes, and medical and dental clinics and laboratories (not including animal hospitals and clinics).
- B. Public and private elementary, junior high, and high schools and colleges.
- C. Community centers, fraternal or lodge buildings.
- D. Business, technical, art or music schools.
- E. Professional offices for accountants, attorneys, engineers, architects, landscape architects, surveyors, designers, planners and similar professionals.
- F. Studios for interior decorators, photographers, artists and draftsmen.
- G. Antique stores.
- H. Neighborhood grocery store located on a lot of not more than 12,000 square feet in area.
- I. Mobile home for the infirm, subject to the supplemental provisions of TMC [18.155.070\(B\)](#).
- J. Building over [three two and one-half](#) stories or [40-30](#) feet in height, whichever is less. Such buildings must also meet the building height transition standards in TMC [18.90.050\(B\)](#).
- K. Other buildings, structures or uses that the Planning Commission determines to be similar to other uses permitted conditionally in the [RHD, RM-22](#)-zone. [Ord. 943 § 1 (Exh. A), 2018; Ord. 817 § 8-3C.450, 2006.]

18.40.060 Yard regulations.

- A. *Front Yard.* The front yard shall have a depth of not less than 20 feet for dwellings and 24 feet for garages and carport entrances.

B. Side Yard.

1. Five feet for one to two the first story structures, plus five three feet for three-story buildings over 18 feet in height; zero feet for attached single-family dwellings. The following additional provisions shall also apply to side setbacks:

- a. Ten feet for street-facing side yards on corner lots when side street is a local or an alley; 15 feet when side street is a collector or arterial; 20 feet for garage and carport entrances.
- b. Ten feet on one side for zero-lot-line lots.

C. Rear Yard. Ten feet; five feet for alley-access garages.

D. Additional setbacks adjacent to residential uses. To provide compatible building scale and privacy between developments, buildings in the RHD zone shall provide additional setbacks or "step-downs" adjacent to lower-density residential development.

1. This standard applies to new and vertically expanded buildings that exceed 30 feet or two stories, whichever is less, on lots adjacent to lots zoned RLD, RMD, or RMHP.

2. The minimum side or rear yard setback shall be equal to the height of the proposed building less 15 feet. For example, a 35 foot-tall building would require a 20-foot setback.

3. Building height may "step-down" within the additional setback area provided that no portion of the building exceeds the allowed ratio in Section (D)(2) and the building meets the minimum side and rear yard setbacks otherwise required in this section.

[Ord. 943 § 1 (Exh. A), 2018; Ord. 817 § 8-3C.460, 2006.]

18.30.065 Density regulations.

A. Minimum Density. The minimum density shall be 18 units per net acre.

Net Acre: For the purposes of this Section, a *net acre* is the total development acreage net of undevelopable lands (as defined in Chapter 18.15 TMC) and a 24-percent reduction allowing for infrastructure. Development projects less than 1.5 acres in size do not need to subtract

infrastructure allowance. Development proposals 1.5 acres or larger may not exempt 1.5 acres from calculating infrastructure allowance.

B. *Maximum Density*. There shall be no maximum density, provided lot area and dimensional standards in TMC 18.40.070 are met.

18.40.070 Lot area and dimensions.

In the RM-HD zone, the minimum density shall be 18 units per net acre.

Commented [ED5]: Relocated to above density section.

Net Acre: For the purposes of this Section, a *net acre* is the total development acreage net of undevelopable lands (as defined in Article 8-3B.1) and a 24-percent reduction allowing for infrastructure. Development projects less than 1.5 acres in size do not need to subtract infrastructure allowance. Development proposals 1.5 acres or larger may not exempt 1.5 acres from calculating infrastructure allowance.

A. *Minimum Lot Area*.

1. For single-family detached (existing) and duplex dwellings: 2,500 square feet.
2. For single-family attached dwellings: 1,800 square feet.
3. For triplex, quadplex and multiple-family dwellings: 5,000 square feet.

B. *Maximum Building Coverage*.

1. Seventy-five percent. Apartment: 40 percent.

C. *Minimum Lot Width*.

1. For single-family detached (existing) and duplex dwellings: 25 feet.
2. For single-family attached dwellings: 20 feet.
3. For triplex, quadplex and multiple-family dwellings Apartment: 50 feet.

D. *Maximum Building Height Bulk*.

1. Forty feet or three stories, whichever is less. Height: 30 feet.

D. *Nonconforming Lots of Record.* A lot having an area of less than ~~2,500~~ ~~5,000~~ square feet of record at the time of the passage of the ordinance codified in this title may be occupied by one single-family dwelling or one duplex dwelling if all other dimensional requirements of the zone are complied with. [Ord. 943 § 1 (Exh. A), 2018; Ord. 817 § 8-3C.470, 2006.]

18.40.080 Recreation area for ~~multiple~~-family dwellings.

~~In addition to the required landscaped open space (see TMC 18.40.090),~~ A minimum of 250 square feet of usable recreation area shall be provided for each ~~multiple-family dwelling unit.~~ The recreation area may be in one or more locations, and may include recreation buildings, but no area with any minimum dimension of less than 15 feet – except for bicycle paths – shall be counted toward this requirement. ~~Recreation area may be counted towards the required landscaped open space in TMC 18.105.020.~~ [Ord. 943 § 1 (Exh. A), 2018; Ord. 817 § 8-3C.480, 2006.]

Commented [ED6]: Use consistent terminology. Also note this exempts triplexes and quadplexes, for greater flexibility with those smaller scale developments.

Commented [ED7]: Allowing recreation area to count towards minimum landscaping create additional site development flexibility and more space for housing units.

18.40.090 Landscaping, fences, walls and signs.

In the ~~RHD RM-HD~~ zone, all required landscaping shall be installed in accordance with Chapter [18.105](#) TMC ~~including any~~ required perimeter buffer ~~in accordance with TMC 18.105.050.~~ Fences and walls shall be permitted in accordance with Chapter [18.105](#) TMC. Signs shall be permitted in accordance with Chapter [18.120](#) TMC. [Ord. 943 § 1 (Exh. A), 2018; Ord. 918 § 3 (Exh. A), 2016; Ord. 817 § 8-3C.482, 2006.]

Commented [ED8]: Make perimeter buffers non-discretionary, and reference updated standards.

~~18.40.100 Buffering.~~

~~When a development or use is proposed on property in the RM-HD zone, which abuts or is adjacent to a conflicting land use zone or an incompatible but permitted use within the same zone, the planning commission shall require a buffer in accordance with TMC 18.105.050.~~ [Ord. 943 § 1 (Exh. A), 2018; Ord. 918 § 3 (Exh. A), 2016; Ord. 817 § 8-3C.484, 2006.]

Chapter 18.162

CLUSTER HOUSING

18.162.010 General provisions.

A. Purpose and intent. It is the policy of the city of Talent to provide for cluster housing that allows more flexible development as an alternative to traditional housing types. Cluster housing is intended to:

1. To provide a variety of housing types that respond to changing household sizes and ages, including but not limited to retirees, small families, and single-person households.
2. To encourage creation of more usable open space for residents of the development through flexibility in density and lot standards.
3. To ensure that the overall size and visual impact of the cluster development be comparable to standard residential development, by balancing bulk and mass of individual residential units with allowed intensity of units.
4. To provide centrally located and functional common open space that fosters a sense of community and a sense of openness in cluster housing developments.
5. To ensure minimal visual impact from vehicular use and storage areas for residents of the cluster housing development as well as adjacent properties.

18.165.020 Permits – Eligibility and application.

A. Authorization for Cluster Housing by Zoning District. Cluster housing is permitted in residential districts as permitted by individual zoning districts.

B. Approval Process.

1. Cluster housing shall be reviewed as a Type II site plan review consistent with Chapter 18.150 TMC and TMC 18.190.040.

2. If the cluster housing development includes dwellings on individual lots to be created through land division, the site plan review and tentative plan may be reviewed concurrently, with the condition of approval that the site plan review approval shall only become effective after the final plat is recorded.

C. *Systems Development Charges.* For the purposes of calculating systems development charges (SDCs), cluster dwellings shall be regarded as apartments and all SDCs shall be assessed accordingly, except the following modifications will be factored into the calculations:

1. Rogue Valley Sewer Services or its successor shall determine SDCs for sanitary sewer. [Ord. 943 § 1 (Exh. A), 2018; Ord. 817 § 8-3L.520, 2006.]

Commented [ED1]: This is slightly modified from the ADU chapter, on the premise that cluster dwellings could be more similar in size to apartments than single-family detached homes, though cluster dwellings can be larger than the largest ADUs, capped at 800 SF. Any reduced SDCs for clusters would be an incentive for this type of housing. Alternatively, the city could assess existing SDCs for single-family homes, or develop a revised SDC methodology with rates for all different types of developments.

18.162.030 Development standards

A. *Applicability.* Where there is a conflict between these standards and standards elsewhere in the code, the Cluster Housing standards shall apply.

B. *Permitted Housing Types.*

1. Residential Low Density District: Units may be single-family detached or duplexes.

2. Residential Medium Density District: Units may be single-family detached, duplexes, or up to four units attached.

3. Residential High Density District: Units may be single-family detached, duplexes or up to 12 units attached.

C. *Dimensional Standards.*

1. Maximum average gross floor area: 1,200 square feet per dwelling unit.

2. Maximum height for dwellings: 25 feet or two stories, whichever is less.

3. Units Per Cluster:

a. Residential Low Density District: There may be 4-12 units per development.

b. Residential Medium Density District: There may be 4-12 units per development.

c. Residential High Density District: There may be 4-12 units per cluster with no limit on the number of clusters per development.

4. Minimum Lot Size

	Minimum lot size for cluster development on a single lot	Minimum lot size for development with individual lots
RLD	15,000 square feet	3,000 square feet
RMD	10,000 square feet	2,000 square feet
RHD	8,000 square feet	1,500 square feet

5. Minimum lot dimensions: Minimum lot width for individual lots shall be 20 feet, with a minimum lot depth of 50 feet.

6. Minimum setbacks from site perimeter: Same as the base zone.

7. Minimum setbacks for single-family and duplex dwellings on individual lots within a Cluster Housing development:

	Setback
Front	10 ft.
Porch or stairs	5 ft.
Side	3 ft.
Rear	5 ft.

8. Maximum building coverage: Same as the base zone.

9. Minimum distance separating dwelling units (excluding attached dwellings and accessory structures): 6 feet.

D. Density

1. For developments in the RLD and RMD districts: Minimum density standards shall be met. Maximum density shall be twice the maximum density permitted in the base zone.

2. For developments in the RHD district: The minimum density shall be met as established in TMC 18.40.065.A. No maximum density standard applies.

3. For purposes of this section, density may be calculated based on the total development site acreage, after subtracting undevelopable land. No percentage reduction for infrastructure is required.

Commented [ED2]: The RHD standards exempt sites of 1.5 acres or less from infrastructure deductions, and most cluster development will be similarly sized. Further, little to no public infrastructure will be crated because cluster developments do not require public streets or ROW dedication.

E. *Open Space.* Cluster housing developments shall provide and maintain at least one common open space for the use of all occupants. The open space shall have the following characteristics:

1. Located on land with less than a 5 percent slope.
2. Cleared sufficiently of trees, brush and obstructions so that recreational use is possible.
3. Not used for temporary or regular parking of automobiles or other vehicles.
4. Includes at least 150 square feet of area for each dwelling unit.
5. Provides at least 50% of open space in the form of a single compact, contiguous, central open space that:
 - a. Has a minimum dimension of 20 feet.
 - b. Abuts at least 50 percent of the dwellings in a cluster housing development.
 - c. Has dwellings abutting on at least two sides.
6. The common open space shall be developed with a mix of landscaping and lawn area, recreational amenities, hard-surfaced pedestrian paths, or a community building built for the sole use of the cluster housing residents. Impervious elements of the common open space, excluding community buildings, shall not exceed 30 percent of the total open space.
 - a. Shared non-recreational facilities such as shared laundry or storage facilities shall not count towards the open space requirement.
7. If private open space is provided for dwelling units, it shall be adjacent to each dwelling unit. Private open space may include landscaping, porches and decks. The minimum dimension for private open spaces shall be 10 feet, except that porches shall have a minimum dimension of 5 feet.

F. *Siding and Roofing Requirements.* Cluster dwellings shall comply with siding and roofing standards in TMC 18.95.040.

G. *Existing dwelling unit onsite.* One existing single-family dwelling incorporated into a Cluster Housing Development that does not meet the requirements of this chapter is permitted to remain on a site developed for cluster housing and shall be considered a dwelling in the development. The existing single-family dwelling unit shall not be part of the average gross floor area calculations.

Chapter 18.180

MANUFACTURED HOME PARK DEVELOPMENT STANDARDS AND PROCEDURES

18.180.010 State and local law.

A manufactured home (MH) park shall be built to all state standards in effect at the time of construction and shall comply with the additional provisions of this chapter. The following statutes, as they now read or are hereafter amended to read, are hereby adopted by reference and made a part of this chapter: ORS [446.003](#) through [446.145](#). Construction and maintenance of a new MH park and expansion or reconstruction of existing MH park shall be in conformance with the standards established by this chapter. [Ord. 817 § 8-3L.810, 2006.]

18.180.020 ~~Submittal requirements Site and development plan and fee.~~

~~No land within the city of Talent shall be developed for use as a MH park, and no plan for a MH park shall be filed or recorded, until submitted to and approved by the planning commission. All Applications submitted for approval of a new MH park or expansion, modification or reconstruction of an existing MH park shall consist of eight copies of a development plan and a nonrefundable filing fee. The amount of the fee shall be established, and may be changed, by general resolution or ordinance of the city council. In addition to the nonrefundable fee, the applicant shall be liable for the expense of engineering services provided by the city engineer in reviewing the plans and for any other reasonable services rendered. The plan shall be submitted at least 15 days before the planning commission meeting at which consideration is requested, and~~ shall contain at least the following information:

- A. Name of person who prepared the plan.
- B. Name(s) and address(es) of person(s) owning and/or controlling the land proposed for a MH park.

-
- C. Name of MH park and address.
 - D. Date, scale and north point of the plan.
 - E. Boundaries and dimensions of the MH park.
 - F. Vicinity map showing relationship of MH park to adjacent properties and surrounding zoning.
 - G. Location and dimensions of each MH site, with each site designated by number, letter or name.
 - H. Location and dimensions of each existing and proposed building.
 - I. Location and width of MH park streets, bicycle ways and pedestrian ways.
 - J. Location of each lighting fixture for lighting the park.
 - K. Location of recreational areas and buildings and common areas.
 - L. Location and type of trees, landscaping, fences, walls or combination of any of these, or other methods of screening or buffering proposed.
 - M. Extent, location, arrangement and proposed improvements of all off-street parking and loading facilities.
 - N. Location of existing and proposed fire hydrants.
 - O. A drainage plan.
 - P. Topography of the park site with contour intervals of not more than five feet.
 - Q. The plan shall indicate positions of the MHs on the MH sites, so that the commission may determine adequacy of entrances, setbacks, solar orientation and access, etc.
 - R. Enlarged plot plan of a typical MH space, showing location of the stand, storage space, parking, sidewalk, utility connections and landscaping.
 - S. Natural features, including all trees with a circumference of 14 inches or greater, measured at a point three feet above grade at the base of the tree.

T. Location and types of natural hazards occurring on the site, including, but not limited to, floodplains and floodways; soils and areas with erosion, shrink-swell, high runoff, mass movement and high ground water characteristics; with a description of how any hazards will be mitigated.

U. Names, location, mature heights, crown diameters, growth rates, shadow patterns between the hours beginning at 9:00 a.m. and ending at 3:00 p.m. Pacific Standard Time on November 21st, and maintenance facilities of and for existing and proposed street and shade trees.

V. Any other data as may be required to permit ~~review of the application the planning commission to make the necessary findings for approval.~~ [Ord. 817 § 8-3L.820, 2006.]

Commented [ED1]: This seems like an onerous review requirement not required of other comparable development; consider deleting.

18.180.030 ~~Planning commission r~~ Review of site and development plan.

~~A. MH parks shall be reviewed subject to a Type II site plan review process in Chapter 18.150 TMC and the provisions of TMC 18.190.040.~~

~~A. Following receipt of the site and development plan, the staff advisor to the planning commission shall prepare a report including information on compliance with ordinance requirements, the city comprehensive plan, any other adopted city plan and any other data as appears pertinent to the planning commission's review of the plan.~~

~~B. Planning commission shall hold a public hearing on the proposed MH park. Notice of the public hearing shall be provided as set forth in TMC [18.190.050](#).~~

~~C. The planning commission shall take action to approve, disapprove or conditionally approve the plan within 60 days from the first regular planning commission meeting following submission of the site and development plan, unless an extension of such time limit is mutually agreed upon by the applicant and the commission. The plan shall be approved if it contains all of the information required in TMC [18.180.020](#), and the proposed MH park conforms with the provisions of law and the standards set forth in this chapter. Approval of the site and development plan shall indicate approval of the final plan provided there is no change from the approved plan and there is full compliance with all requirements of this chapter. [Ord. 817 § 8-3L.830, 2006.]~~

Commented [ED2]: Nondiscretionary review of manufactured home parks, as needed housing, is required per ORS 197.303(1)(c) and 197.312

18.180.040 Final approval.

Planning ~~director~~ ~~commission~~ will grant final approval of MH park plans through a Type I review subject to TMC 18.190.030 when all of the following conditions are met:

- A. A site and development plan has been approved.
- B. Detailed plans for the construction of roadways, pedestrian walkways, bicycle paths, parking areas, MH stands, sewer and water facilities, and drainage systems have been approved by the city engineer as being in compliance with the standards of this section, the approved plans approved by the planning commission, and other applicable chapters of this title. The applicant shall be liable to the city for the expense of plan review and inspection of improvements by the city engineer.
- C. A detailed tree planting landscaping and buffering plan is submitted and approved by the planning commission, showing information about landscape and fencing or wall materials to be used, spacing, size and botanical names of plants, and maintenance systems for landscaped areas.
- D. If final approval is not granted within one year of site and development plan approval or conditional approval, the site and development plan must be resubmitted to the planning commission and reviewed following the procedure prescribed in TMC 18.180.030.
- E. Final approval granted by the planning commission pursuant to this section shall expire in one year from the date of such approval unless the plan is substantially implemented.
- F. Any final approval of MH park plans granted by the planning commission prior to the effective date of this title shall expire in one year from the effective date of this title unless substantially implemented. [Ord. 817 § 8-3L.840, 2006.]

18.180.050 Standards and improvements.

The following standards and improvement requirements shall be required for the development of a MH park or the expansion or reconstruction of an existing MH park. In the case of an expansion of an existing park, the requirements shall apply to the expanded portion only, unless the improvements within the existing part of the park are less than the standards in effect when the park was originally approved. In that case, the improvements

shall be brought into compliance with those standards, in the preexisting portion of the park, within one year of ~~the planning commission's~~ approval of the park expansion.

A. *Certificate of Sanitation.* A MH park shall have a certificate of sanitation issued by the State Department of Commerce, and must comply with all state requirements for MH parks.

B. *Area.* A MH park shall not be less than ~~one acre, two acres nor more than 30 acres in area.~~ ~~MH parks which would accommodate housing for residents numbering more than five percent of Talent's population (based on 2.5 people per MH) shall be staged or phased so that the population increase that would be created in any one year by the MH park will amount to less than five percent of the city's population.~~

Commented [ED3]: ORS 197.314(5) establishes one acre as the greatest permissible minimum size for MH parks.

C. *Permitted Uses in a MH Park.* Uses permitted outright and uses permitted subject to site development plan review and conditional use processes in a MH park are listed in TMC [18.35.020](#), [18.35.030](#), [18.35.040](#) and [18.35.050](#).

D. *MH Park Access.*

1. All MH parks shall have at least 200 feet of frontage on a public street. All parks over 10 acres in size shall be located so as to have principal access on a street designated by the city as a collector or arterial street.
2. At least two pedestrian exits and one vehicular exit shall be provided in every MH park, and shall be located no closer than 150 feet from any other exit.

E. *Density of MHs.* No more than ~~eight~~ ~~ten~~ MH units shall be located per net acre (net acreage includes MH spaces and common open space and recreational uses, but does not include roads, parking areas or commercial uses).

Commented [ED4]: UO research concludes that average MH park density is approximately 8 units per acre, but varies greatly from 3 to 20 units per acre. A slightly higher density provides for greater flexibility.

F. *Parking.* Two off-street parking spaces shall be provided at each MH site. Additional parking space shall be provided in parking lots distributed around the park to accommodate at least one space per eight MHs, but not more than one additional space per MH. In addition, sufficient off-street parking shall be provided for MH park employees. Parking facilities shall conform to the requirements of Chapter [18.110](#) TMC.

G. *Streets and Accessways.*

1. Each MH park site shall have an accessway of at least 36 feet in width which connects to an existing public street.

2. The first 50 feet of an accessway, measured from the public street, shall be surfaced to a width of at least 28 feet, with no on-street parking permitted. Where a MH park street intersects an existing public street, the MH park developer shall improve the park street to the centerline of the existing city street.
3. Exterior streets abutting the MH park which are not improved to subdivision standards shall be improved as set forth in TMC [17.10.060](#).
4. For MH park accessways, beyond the first 50 feet, the minimum surfaced width of the roadway within the park shall be 10 feet for each travel lane and eight feet for each parking lane.
5. All roadways shall be paved with crushed rock base and asphalt concrete surfacing according to structural specifications prescribed by the city (refer to city of Talent standard details).
6. Streets shall be oriented in a manner that permits MH pads and spaces to provide maximum solar access to MHs.

H. *Pedestrian Ways.* Pedestrian walkways shall be separated from vehicular ways and shall be developed and maintained to provide safe and convenient movement to all parts of the park walkways leading to destinations outside the park. Pedestrian walkways shall be surfaced with concrete at least three inches thick, to a width of at least three feet.

I. *Bicycle Ways.* Bicycle paths shall be provided, where determined appropriate by the planning commission for the public convenience, to provide safe and convenient movement to locations in the park and to connect to bicycle routes or streets which can be utilized safely by bicyclists outside of the park. Bicycle ways shall be improved to standards approved by the city.

J. *MH Park Perimeter Setbacks.* All MHs, MH park buildings, and required parking areas shall be located at least 25 feet from the property line abutting upon a public street or highway and at least 15 feet from other MH park boundary lines.

K. *Utilities.*

1. *Undergrounding of Utilities.* All utilities shall be installed underground, according to the provisions of TMC Title [17](#).

2. *Water and Sewer.* Each MH site shall be connected to the public water and sewer system, and each occupied MH shall be connected to same.
 3. *Electricity.* Each MH site shall have an electrical connection with service adequate for electric cooking and other household appliances.
 4. *Fire Hydrants.* Each MH shall be located within 250 feet of an accessible fire hydrant. Determination of accessibility shall be made by the fire chief.
 5. *Telephone Service.* Public telephone service shall be available in every MH park.
 6. *Safety Lighting.* Vehicular and pedestrian accessways shall be adequately lighted by a safety lighting plan utilizing underground wiring.
- L. *Drainage.* The MH park shall be well-drained and provisions for drainage shall be made according to plans approved by the city engineer. The condition of soil, groundwater level, drainage and topography shall not create hazards to the property or the health or safety of the occupants.
- M. *Recreation Area.* In a MH park, not less than six percent of the net park area shall be developed for recreation use. The recreation area may be in one or more locations, none of which shall be less than 2,500 square feet in area or less than 25 feet in width, with the exception of bicycle paths which may be counted toward the recreation area requirement. Recreation areas shall be developed and maintained as usable open space, playgrounds, playfields, swimming pools, bicycle paths, community gardens and/or joint-use recreation buildings, or other approved recreation uses for the common use of MH park residents. Required parking areas and pedestrian walkways may not be counted as part of the recreation area requirement.
- N. *Storage of Unoccupied MHs, Recreation Vehicles and Boats.* Unoccupied MHs, recreation vehicles and boats may be stored only in areas designated and suitable for such purposes. They shall not be stored in accessways, required parking spaces, or areas designated for another purpose.
- O. *Orientation of MH Pads and Spaces.* MH pads and spaces shall be oriented to provide as many mobiles a major south wall of uninterrupted solar access as possible.
- P. *MH Location and Setbacks.* Occupied MHs shall be parked only on MH stands, shall be set back at least 10 feet from any park roadways, at least 15 feet from any other MH or park

building, at least 10 feet from any separate accessory structure, and at least 25 feet from any public street. No MH space within a MH park shall be located in such a manner that a public street must be used to place a MH in the space.

Q. *Buffering.* Buffering beyond the perimeter requirements set forth in this section shall be required when necessary to conform to the buffering standard set forth in TMC Title [17](#).

R. *Improvements Required for Each MH Space or Site.* Each MH space or site shall have the following improvements:

1. A MH foundation stand, which shall be improved to provide adequate support for the placement and tie-down of the MH. The stand shall be all-weather surfaced with asphalt, concrete or crushed rock, and shall be constructed so that it will not heave, shift or settle unevenly under the weight of the MH due to frost action, inadequate drainage, vibration, wind or other forces acting on the structure. Each stand design shall be approved by the building inspector. The stand must be at least as large as the MH placed on it.
2. A patio or combination of patios of concrete, asphalt, flagstone, wood or other equivalent material with an area of not less than 150 square feet and no dimension less than seven feet.
3. Two paved parking spaces and at least 14 feet of direct access to a park street.
4. A deciduous tree shall be planted on the south side of each MH site where active solar collectors will not be utilized.

S. *MHs Permitted.* Only MHs meeting the following requirements will be permitted as an outright use:

1. Every occupied MH shall be equipped with a toilet, lavatory and bathtub or shower, and with a kitchen area.
2. The MH shall be in a condition that conforms to one of the following construction standards:
 - a. A MH constructed after April 1972 shall bear the Oregon insigne of compliance to standards in effect in Oregon at the time of construction.

b. A MH constructed prior to April 1972 shall be in a condition that is not less than the substantial equivalent of any construction standards in effect in Oregon after April 1972, as determined by the building inspector.

3. The MH shall have a minimum area of 400 square feet, as determined by measurement of the exterior dimensions of the unit exclusive of any trailer hitch device. Space within a MH accessory structure shall not be included in the computation of minimum area.

T. *MH Placement and Exterior Finishing.*

1. Each occupied MH shall be located on a MH stand and shall be adequately secured against uplift, sliding, rotation and overturning.
2. All MHs shall have compatible skirting of a noncombustible material or fire-retardant wood, which must be installed within 60 days of MH occupancy and which shall be maintained.
3. All awnings, carports, cabanas, etc., shall be of materials, size, color, and pattern so as to be compatible with the MH.

U. *Accessory Buildings and Structures.*

1. Any MH accessory structure that is not visually separated from a MH shall be constructed with materials and appearance compatible with the MH. This does not apply to patios, porches and decks, or out-buildings that are separated from the MH.
2. Except for automobiles and wood to be used on the site, storage outside a MH shall be in a totally enclosed structure.

V. *Fences, Walls, Hedges and Screen Plantings and Signs.* All fences, walls, hedges and screen plantings shall conform to the requirements of Chapter [18.105](#) TMC, except as may be permitted in subsection [\(W\)](#) of this section, and be properly maintained. Signs shall be permitted and in conformance with Chapter [18.120](#) TMC.

W. *Landscaping and Screening.*

1. *Perimeter Landscaping and Buffering.* The outer perimeter of the MH park shall be improved with:

- a. A sight-obscuring fence or wall at least six feet in height, set back at least 15 feet from the front property line; and at least five feet from the side and rear property lines if it exceeds six feet in height; or
- b. Maintained evergreen landscaping that is at least 10 feet in depth and which will reach at least six feet in height within a period of five years, set back at least 15 feet from the front property line, and at least five feet from side and rear property lines if over six feet in height; or
- c. A combination of subsections [\(W\)\(1\)\(a\)](#) and [\(W\)\(1\)\(b\)](#) of this section.
- d. Where perimeter landscaping is set back from the property boundary line, a yard containing lawn or other suitable ground cover, flowers, and shrubs and/or trees shall be established and maintained between the boundary lines and the chosen screening.

2. *Landscaping within the MH Park.* All open areas and recreation areas within the park not otherwise used shall be suitably landscaped and maintained. Prominent aspects such as rock outcroppings, trees with circumferences of 14 inches or greater (measured at a point three feet above grade at the base of the tree), and other natural landscaping features are encouraged to be worked into the landscaping plan. The maintenance of open spaces is necessary to the continued renewals of the MH park license.

X. *Licensing of MH Parks.*

1. *License Required.* No use or occupancy of any MH park, or building or facility in connection therewith, shall be permitted within the city of Talent until a MH park license is issued.
2. *Application for License.*
 - a. *New MH Parks.* An application for a license to operate a new MH park shall be submitted to the city council after final approval of the development plans by the planning commission. An enlargement of a MH park or an increase in the number of MH spaces in an existing park shall be subject to the provisions of this section regulating new parks.
 - b. *Existing Parks.* Application for the renewal of a business license for an existing MH park shall be made to the city and will be granted as long as the park conforms

to all applicable state laws and any conditions set forth at the time the MH park was approved, and provided the condition set forth in subsection (Y) of this section is met.

3. *License Fee.* The annual license fee for a MH park shall be the same as prescribed by the city of Talent for business licenses.

4. *Term of License.* MH park licenses shall be valid for a period not to exceed one year, unless a longer time is noted and approved by the planning commission on the signed copies of the development plan, and such time period is approved by the city council.

Y. *Upgrading of Preexisting MH Parks for Fire Protection.* Within three years of the date of enactment of the ordinance codified in this title, every preexisting MH park shall either install fire hydrants or provide adequate access to fire hydrants, so that every MH is located within 250 feet of an accessible fire hydrant. Conformance with this requirement will be determined by the Talent fire chief. Any MH park that does not meet this requirement will be ineligible for renewal of the MH park license.

Z. *Building Permits.* No building permit shall be issued for the development of a new MH park until the development plans have received final approval by the planning commission.

AA. *MH Set-Up Permits.* No MH shall be moved onto a MH space or lot until a MH set-up permit has been issued. [Ord. 918 § 3 (Exh. A), 2016; Ord. 817 § 8-3L.850, 2006.]

18.180.060 Addendum – New MH park rules – Design and land use (OAR 814-28-060(1)).

A. *Space Utilization.* Building separation in a MH park for each MH and its accessory structures shall be in accordance with the following:

1. The distance between MHs shall in no case be less than 10 feet end to end or side to side. All HUD-approved MHs may be 10 feet from adjacent MHs on both sides.
2. The distance between non-HUD-approved MHs placed parallel to each other may be 10 feet on one side but must be at least 14 feet on the other.

B. *Exceptions.*

1. Non-HUD-approved MHs may be placed 10 feet apart in MH parks that comply with current fire safety standards.
2. Parallel non-HUD-approved MHs with less than half their lengths side by side may be 10 feet apart on both sides.
 - a. When not placed parallel to each other, or when parallel if one or more of the units is a tip-out, non-HUD-approved MHs may be 10 feet apart on both sides but must be at least 14 feet apart for half their length.
 - b. Adjacent MHs in all parks must be placed at least 14 feet apart where a flammable or combustible fuel storage vessel is located on or between units.
 - c. A MH may not be closer than 10 feet to a park building within the MH park, or closer than five feet to a park property line. The area occupied by the MH, accessory buildings, and structures on a MH lot shall not exceed 75 percent of the lot area.
[Ord. 817 § 8-3L.860, 2006.]