

## Oregon City Municipal Code Proposed Changes from 10/7/19 to 10/10/19

*Deletions shown with ~~strikeouts~~, additions and new standards shown with underline,  
relative to existing standards.*

### 16.12.011 - Applicability.

- A. Compliance with this chapter is required for all development including land divisions, site plan and design review, master plan, detailed development plan and conditional use applications and all public improvements. Minor Site Plan and Design Review applications shall not be subject to this chapter unless improvements are proposed within the right-of-way, or as otherwise provided in this chapter.
- B. Compliance with this chapter is also required for new construction or additions which exceed fifty percent of the existing square footage of all 3-4 plexes, single and two-family dwellings living space. Garages, carports, sheds, and porches may not be included in the calculation if these spaces are not living spaces. Accessory dwelling units are not subject to compliance with this chapter. All applicable 3-4 plexes, single and two-family dwellings shall provide any necessary dedications, easements or agreements as identified in the transportation system plan and this chapter, subject to constitutional limitations. In addition, the street frontage shall be improved to include the following priorities for improvements:
1. Improve street pavement, construct curbs, gutters, sidewalks and planter strips; and
  2. Plant street trees.

The cost of compliance with the standards identified in 16.12.011.B.1 and 16.12.011.B.2 is calculated based on the square footage valuation from the State of Oregon Building Codes Division and limited to ten percent of the total construction costs. The value of the alterations and improvements is based on the total construction costs for a complete project rather than costs of various project component parts subject to individual building permits. The entire proposed construction project cost includes engineering and consulting fees and construction costs. It does not include permit fees, recording fees, or any work associated with drafting or recording dedications or easements.

**Reason for Change:** Add 3-4 plexes to list of development triggering compliance with the chapter. 3-4 plexes require public improvements up to 10% of the project construction cost, which is the same as what is required for single-family homes and duplexes

### 17.16.030 – Single-family attached dwelling design standards

I. Compliance with minimum public improvements standards in OCMC Chapter 16.12 is required.

**Reason for Change:** Clarify that single-family attached dwellings are subject to compliance with public improvements standards

### 17.16.060 – 3-4 plex development requirements.

- A. 3-4 plexes shall meet the following:

3. 3-4 plexes shall meet the dimensional standards of the underlying zoning district.
4. Compliance with minimum public improvements standards in OCMC Chapter 16.12 is required.

**Reason for Change:** Make 3-4 plexes subject to a limited amount of public improvements standards and clarify they are subject to dimensional standards of the underlying zone, such as setbacks, density, and landscaping requirements.

17.16.060 – 3-4 plex development requirements.

D. In mixed-use and commercial zones, parking areas shall be located behind the building façade that is closest to the street, below buildings, or on one or both sides of buildings.

**Reason for Change:** Clarifying that 3-4 plexes in residential zones may include driveways/parking in front of the 3-4 plex consistent with residential design, but add new requirement that in commercial or mixed-use zones, parking areas must be located behind the 3-4 plex consistent with urban design standards in commercial zones.

17.20.20 – Cluster Housing

E. Open Space Design Standards:

2. Common open space requirements for cluster ~~development~~groups:
  - a. A minimum of fifty percent of the total required open space for each cluster group, or two-hundred square feet per dwelling, shall be provided in a single compact, contiguous, central open space that:
    - i. Has a minimum dimension of twenty feet.
    - ii. Abuts at least fifty percent of the dwellings in a the cluster housing ~~development~~group.
    - iii. Has dwellings abutting on at least two sides.

**Reason for Change:** Clarifying that the standards in this section apply to open space for each group of cluster homes, not the entire cluster housing development.

17.20.20 – Cluster Housing

I. Parking shall be provided pursuant to the following requirements:

5. Parking clusters shall be separated by a landscaping planter that is a minimum of 9 feet in width and 19 feet in length.

**Reason for Change:** The code requires that parking is in clusters of no more than 5 stalls but does not specify how much separation is required to constitute a separate cluster of parking

17.54.100 Fences, Hedges, Walls, and Retaining Walls.

A. A fence, hedge, wall, retaining wall, or combination thereof may be located on real property, not within the right-of-way, subject to all of the following:

2. A fence, hedge, wall, located next to, ~~or and~~ behind the forward most building, or within more than forty feet of the right-of-way, whichever is less may be up to:
  - a. Six feet in total height for residential properties with less than five units as measured from the finished grade at any point on the fence; or
  - b. Eight feet in total height for all other uses as measured from the finished grade at any point on the fence.

**Reason for Change:** Clarify that fences, hedges, or walls may be next to or behind a building for standard to apply.

17.54.110 - Marijuana businesses.

D. Standards of Operation.

5. Odors. A marijuana business shall use an air filtration and ventilation system that ~~is certified by an Oregon Licensed mechanical engineer to ensure~~ that all odors associated with the marijuana is confined to the licensed premises to the extent practicable. For the purposes of this provision, the standard for judging "objectionable odors" shall be that of an average, reasonable person with ordinary sensibilities after taking into consideration the character of the neighborhood in which the odor is made and the odor is detected.

**Reason for Change:** Remove requirement of air filtration and ventilation system to be designed by a licensed mechanical engineer as it conflicts with state building code.

17.62.065 – Outdoor Lighting

B. Applicability.

1. General.

- a. All exterior lighting for any type of commercial, mixed-use, industrial, institutional, or multi-family development shall comply with the standards of this section, unless excepted in subsection B.3.

**Reason for Change:** Apply outdoor lighting standards to Institutional uses.