

## Exhibit 1: History of the Lot Averaging Provision

### History of the Provision

The standard was first put in place in mid-2004 with a Legislative process (Ordinance 03-1014, Planning file L 03-01).

#### *16.12.235 Calculations of Lot Area.*

*A subdivision in a Single Family Dwelling District may include lots that are up to 10% less than the required minimum lot area of the applicable zoning designation provided the entire subdivision on average meets the minimum site area requirement of the underlying zone. The average lot area is determined by calculating the total site area devoted to dwelling units and dividing that figure by the proposed number of dwelling lots.*

*Accessory dwelling units are not included in this determination nor are tracts created for non-dwelling unit purposes such as open space, storm water tracts, or access ways.*

*A lot that was created pursuant to this section may not be further divided unless the average lot size requirements are still met for the entire subdivision.*

*When a lot abuts a public alley, an area equal to the length of the alley frontage along the lot times the width of the alley right-of-way measured from the alley centerline may be added to the area of the abutting lot in order to satisfy the lot area requirement for the abutting lot. It may also be used in calculating the average lot area.*

The code section was later amended in December of the same year with another Legislative process (Ordinance 04-1016, Planning file L 03-01 Review).

#### *16.12.235 Building sites- Calculations of lot area.*

A. *A subdivision in ~~a~~ the R-10, R-8, R-6, R-3.5 or R-2 ~~single-family~~ dwelling district may include lots that are up to ten percent less than the required minimum lot area of the applicable zoning designation provided the entire subdivision on average meets the minimum site area requirement of the underlying zone. The average lot area is determined by calculating the total site area devoted to dwelling units and dividing that figure by the proposed number of dwelling lots.*

The code section was lastly amended in mid-2009 with another Legislative process (Ordinance 08-1014, Planning file L 08-01).

#### *16.12.050 - Calculations of lot area.*

*A subdivision in the R-10, R-8, R-6, R-5, or R-3.5 ~~or R-2~~ dwelling district may include lots that are up to ~~10~~ 20% less than the required minimum lot area of the applicable zoning designation provided the entire subdivision on average meets the minimum site area requirement of the underlying zone. The average lot area is determined by calculating the total site area devoted to dwelling units and dividing that figure by the proposed number of dwelling lots.*

*Accessory dwelling units are not included in this determination nor are tracts created for non-dwelling unit purposes such as open space, stormwater tracts, or access ways.*

*A lot that was created pursuant to this section may not be further divided unless the average lot size requirements are still met for the entire subdivision.*

*When a lot abuts a public alley, an area equal to the length of the alley frontage along the lot times the width of the alley right-of-way measured from the alley centerline may be added to the area of the abutting lot in order to satisfy the lot area requirement for the abutting lot. It may also be used in calculating the average lot area.*

The following meeting agendas, videos, staff report and exhibits for this project are available for viewing at <http://oregon-city.legistar.com/Calendar.aspx> and are part of the record.

**L 03-01 Original- ORD 03-1014**

Planning Commission

1. November 10, 2003
2. November 24, 2003
3. January 12, 2004
4. January 21, 2004
5. January 26, 2004
6. February 11, 2004

City Commission

1. Feb 18, 2004
2. March 1, 2004 WKS
3. March 17, 2004 WKS
4. April 7, 2004
5. April 21, 2004
6. May 3, 2004
7. May 19, 2004

**L 03-01 Update- ORD 04-1016**

Planning Commission

1. August 23, 2004
2. September 15, 2004
3. October 11, 2004

City Commission

1. August 30, 2004
2. October 18, 2004
3. November 3, 2004
4. November 17, 2004

**L 08-01 – ORD 08-1014**

Planning Commission

1. June 23, 2008
2. September 22, 2008

City Commission:

1. October 1, 2008

2. November 19, 2008
3. Feb 18, 2009
4. March 5, 2009
5. March 18, 2009
6. April 7, 2009
7. May 20, 2009
8. June 3, 2009
9. June 17, 2009
10. July 1, 2009