

CHAPTER 147
RD - DUPLEX RESIDENTIAL

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147.010. Classification of Uses. Some permitted, special, and conditional uses are classified with reference to the Standard Industrial Classification (SIC) Manual. (See SRC 113.090.) Numbers in parenthesis following a use designation indicates that the use is listed and described under that number in the SIC. Where particular activities otherwise included under an SIC category are excluded from the permitted, special, or conditional use, those particular activities are listed, preceded by the words "BUT EXCLUDING" following the more general category from which they are excluded. Particular activities thus excluded may or may not be listed in other sections of this chapter.

147.020. Permitted Uses. The following uses, when developed under the general development standards in this zoning code applicable to the RD district and to all such uses, generally, are permitted in the RD district:

- (a) One single family dwelling or duplex, other than a mobile home, per lot;
- (b) The following agricultural uses:
 - (1) Agricultural production - crops (01) with no retail sales area;
 - (2) Timber tracts (081);
 - (3) Forest nurseries and tree seed gathering and extracting;
- (c) Playgrounds and parks;
- (d) Public buildings and structures, such as libraries and fire stations;
- (e) Rights-of-way for:
 - (1) Electric service lines;
 - (2) Gas mains, oil and gas transmission lines;
 - (3) Communications lines;
 - (4) Water lines; and
 - (5) Sewer lines.
- (f) Public utility structures and buildings such as pump stations and reservoirs, radiomicrowave relay stations, telephone substations, and electric substations.
- (g) Transit stop shelters.
- (h) Accessory uses and structures such as:
 - (1) Customary residential accessory buildings and structures for private use of the

property and its occupants;

(2) A private garage or parking area;

(3) Storage for not more than one commercial vehicle per dwelling unit.

(4) Sleeping quarters for domestic employees of the resident of the main building;

(5) Guest houses and guest quarters not in the main building if such houses and quarters are and remain dependent upon the main building for either kitchen or bathroom facilities or both, and the guest facilities are used for temporary lodging and not as a place of residence;

(6) Swimming pools for private use;

(7) Home occupations;

(8) The taking of boarders or leasing of rooms by a resident family, providing the total number of boarders and roomers does not exceed two in any dwelling unit.

(i) Residential home.

(j) Child day care homes and babysitting.

(k) On-site response actions in accordance with applicable law to discharges of oil and releases of hazardous substances, pollutants, and contaminants. (Ord No. 146-84; Ord No. 16-85; Ord No. 17-88; Ord No. 71-91; Ord No. 116-94)

147.030. Special Uses.

(a) The following uses, when restricted, developed and conducted as required in SRC chapter 119, are permitted in the RD district:

(1) Nursing and personal care facilities (805).

(2) Residential care facilities, including homeless shelters serving five or fewer persons (836), except residential home and other structures housing families of handicapped persons.

(3) Zero side yard dwellings.

(4) Keeping of a miniature swine.

(5) Manufactured homes on individual lots.

(6) Antennas attached to existing or approved structures.

(7) Religious organizations (866).

(b) In lieu of establishing any use listed in subsection (2) of this section as a special use under SRC chapter 119, the developer may elect to apply for conditional use approval pursuant to SRC chapter 117 or 118. See SRC 119.010. (Ord No. 16-85; Ord No. 127-85; Ord No. 17-88; Ord No. 13-90; Ord No. 3-91; Ord No. 67-93; Ord No. 62-95; Ord No. 82-96; Ord No. 56-05)

147.035 Administrative Conditional Uses.

(a) The following uses, with administrative conditional use approval as provided in SRC chapter 116, are permitted in RD district:

(1) Freestanding support structures 35 feet or less in height and equipment enclosures. (Ord No. 82-96)

147.040. Conditional Uses. The following uses, with conditional use approval as provided in SRC chapter 117 or 118, as applicable, are permitted in the RD district:

(a) Those uses listed in SRC 147.030, at the developer's option, as provided in subsection (b) of that section.

(b) Crude petroleum and natural gas extraction (131).

(c) Electric services (491).

(d) Gas production and distribution (492).

(e) Water supply (494).

(f) Membership sports and recreation clubs (7997).

- (g) Child day care centers as specific conditional uses under SRC Chapter 118. (Ord No. 17-88)

147.050. Prohibited Uses. Within any RD district, no building, structure, or land shall be used, erected, structurally altered, or enlarged for any use not permitted under SRC 147.020 to 147.040, unless the use is deemed an equivalent use pursuant to SRC 113.090(d) or allowed as a nonconforming use pursuant to SRC Chapter 112. (Ord No. 49-09)

DEVELOPMENT STANDARDS

147.060. Height. Within an RD district:

- (a) Dwellings altered, or enlarged shall not exceed either 28 feet in height, or the existing dwelling height, whichever is higher.
- (b) New dwellings shall not exceed 35 feet in height.
- (c) Heights of accessory structures shall meet the requirements of SRC chapter 131.
- (d) No other building or structure erected, altered, or enlarged shall exceed a height of 50 feet. (Ord No. 52-06)

147.070. Lot Area and Dimensions. Within an RD district:

- (a) **Lot area.** The minimum lot area requirement for single family dwellings is 4,000 square feet, exclusive of any access way. The minimum lot area requirement for duplexes is 7,000 square feet, exclusive of any access way. All nonresidential uses shall occupy lots of 6,000 square feet or more, except those uses specified in SRC 147.020(d) or as otherwise specifically provided in this zoning code. Duplexes built on lots less than 7,000 square feet in area prior to February 1, 2007 shall be considered conforming with respect to this subsection, and such use may be continued so long as it remains otherwise lawful.
- (b) **Lot dimensions, single family dwellings and duplexes.** Each single family or duplex dwelling shall be located on a lot having a minimum width of 40 feet and an average lot depth between the front and rear lot lines of not less than 70 feet and not more than 300 percent of the average width between the side lot lines. Minimum lot area requirements shall also be met.
- (c) **Lot dimension, nonresidential uses.** The minimum lot depth requirement for nonresidential uses is 80 feet, and the minimum lot width requirement is 40 feet, providing the minimum lot area is met.
- (d) See SRC 130.260 for street frontage requirements. (Ord No. 52-06)

147.080. Front Yards and Yards Adjacent to Streets. Within an RD district:

- (a) Along the full extent of each front lot line and lot line adjacent to a street, there shall be a minimum required yard 12 feet in depth.
- (b) Within 20 feet from the street right-of-way no more than two adjacent lots shall have the same setback line from the right-of-way for the main building. The setbacks for main buildings shall vary at least four feet in depth between adjacent lots. A single family or duplex dwelling having a side yard adjacent to a street shall not be considered as affecting or affected by setbacks of adjacent buildings under this subsection.
- (c) Notwithstanding the provisions of subsections (a) and (b) of this section, there shall be a minimum required yard of 20 feet from the right-of-way of a designated parkway, arterial or collector street.
- (d) Setbacks for accessory structures shall be subject to the requirements of SRC 131.040.
- (e) Zero side yard development shall meet the requirements of SRC 119.550.
- (f) Along the full extent of each front lot line not adjacent to a street, such as a flag lot or along a private drive, there shall be a minimum required yard 12 feet in depth measured from the most interior of the following lines:

- (1) The property line; or
- (2) The most interior access easement line, if an access easement exists. (Ord No. 52-06)

147.090. Interior Side Yards. Within an RD district:

- (a) Each lot occupied by a single family dwelling and having an interior side lot line shall have a minimum required side yard three feet in depth along that side lot line between the yards required under SRC 147.080 and 147.100.
- (b) Each lot having an interior side lot line shall have a minimum required side yard of:
 - (1) Five feet for a building or structure not more than 35 feet in height; and
 - (2) For buildings or structures exceeding 35 feet in height the minimum required interior side yard shall be five feet plus one foot for each one foot of additional height or fraction thereof, but need not exceed 20 feet in depth.
- (c) All side yard setbacks shall be measured from the property line or the most interior access easement line, whichever is most interior to the lot or parcel.
- (d) Setbacks for accessory structures shall meet the requirements of SRC 131.050.
- (e) Zero side yard development shall meet the requirements of SRC 119.550.
- (f) Notwithstanding any other provisions of this section, along the full extent of each side lot line adjacent to a street, there shall be a required yard 12 feet in depth. A duplex located on a corner lot with each unit facing a different street may, at the option of the developer, designate the required side yard. (Ord No. 52-06)

147.100. Interior Rear Yards. Within an RD district:

- (a) Each lot having an interior rear lot line shall have a minimum required yard of:
 - (1) Fourteen feet for any portion of a main building not more than one story in height; and
 - (2) Twenty feet for any portion of a main building greater than one story in height.
- (b) Setbacks for accessory structures shall meet the requirements of SRC 131.060.
- (c) A duplex located on a corner lot with each unit facing a different street may, at the option of the developer, designate the required rear yard. (Ord No. 52-06)

147.110. Lot Coverage. Within an RD district no single family or duplex dwelling, including attached accessory structures, shall occupy more than 60 percent of the lot area. No main building other than a single family or duplex dwelling shall occupy more than 30 percent of the lot area, except where an accessory building is attached to the main building, in which case 35 percent of the lot area may be occupied by such main building. (Ord No. 52-06)

147.120. Driveways for Dwellings. Between the line specified in SRC 147.130(c) and a garage or carport, a driveway serving a garage or carport for each single family or duplex dwelling shall be a minimum paved area of nine feet by twenty feet and available for the parking of a vehicle. (Ord No. 52-06)

147.130. Garages and Setbacks.

- (a) Except as otherwise provided in SRC 119.710, "Manufactured Homes on Individual Lots," each dwelling constructed after February 1, 2007 within an RD district shall have, at the time of original construction, a garage that is constructed of like materials and color as the dwelling, and that may be attached to or detached from the dwelling. Nothing in the section shall be construed to prevent the removal or conversion of a garage, so long as the minimum number of on-site parking spaces is provided.
- (b) Exception to this standard may be made if, at the time of building permit review, the applicant can show that the construction of the dwelling is being provided by a not-for-profit organization and that the dwelling is affordable to families at or below the city's sixty percent median income level as defined by the US Department of Housing and Urban Development.

Such exemption shall only be made for those dwellings built on lots created through the subdivision process. Provision shall be made for a minimum of 480 cubic feet of on-site storage in a portion of the dwelling unit or in a detached accessory structure.

(c) Notwithstanding any other provisions of this Chapter, garages for dwellings, or garages or carports for manufactured homes on individual lots, having a vehicle entrance facing a street or access way shall be set back at least 20 feet from one of the following lines, whichever is closest to the proposed entrance of the garage or carport:

- (1) The right-of-way line, property line abutting an access way, or most interior access easement line;
- (2) The outside curbline; or
- (3) The edge of the sidewalk furthest from the street. (Ord No. 52-06)

147.200. Zone Change Restriction. Notwithstanding any other provision of this code, no zone change to RD shall ever be made.

147.900. Reference to Additional Standards. Additional or alternative use and development standards may be found in the following chapters:

Landslide Hazards	SRC Chapter 69
Street Trees	SRC Chapter 86
Planned Unit Developments	SRC Chapter 121
Increased Residential Density	SRC Chapter 122
Mobile Home Parks	SRC Chapter 123
Home Occupations	SRC Chapter 124
Lot Development Standards	SRC Chapter 130
Accessory Structures	SRC Chapter 131
Landscaping	SRC Chapter 132
Off-street Parking, Loading and Driveways	SRC Chapter 133
Flood Plain Overlay Zones	SRC Chapter 140
Willamette Greenway Overlay Zones	SRC Chapter 141

(Ord No. 22-2000; Ord No. 59-2000)

