

ORDINANCE NO. 1892

An Ordinance adopting new provisions of the Dallas Development Code, and amending other provisions; and repealing all prior and conflicting ordinances.

WHEREAS, the Dallas Planning Commission considered amendments to the Dallas Development Code relating to development in the City; and

WHEREAS, the City duly notified the Oregon Department of Land Conservation and Development of the proposed Development Code amendments not less than 35 days prior to the first evidentiary hearing and the Department did not object to the proposed changes; and

WHEREAS, the Dallas Planning Commission held a public hearing on said amendments, on April 11, 2023, at which time the public was given full opportunity to be present and heard on the matter; and

WHEREAS, the Dallas City Council held a public hearing on said amendments on June 5, 2023, at which time the public was given full opportunity to be present and heard on the matter; and

WHEREAS, the City Council found and hereby finds that the amendments to the Dallas Development Code as shown on Exhibit 1, attached hereto and by reference incorporated herein, are in the public interest to approve; NOW, THEREFORE,

THE CITY OF DALLAS DOES ORDAIN AS FOLLOWS:

Section 1. The Legislative Amendment attached hereto as Exhibit 1, adding new provisions to the Dallas Development Code, codified as Sections 1.3.280, 1.3.440 and 2.4.080, and amending Sections 1.3.500, 2.2.010, 2.2.020, 2.2.030, 2.2.050, 2.2.070, 2.2.080, 2.2.100, 2.2.120.A, 2.2.120.H, 2.2.120.L, 2.3.020, 2.4.020, 2.4.150 (renumbered as Section 2.4.060), 2.8.020, 2.10.030, 2.10.040, 3.1.030, 3.4.015, Table 3.4.010.F (renumbered as 3.4.015.F), 3.4.020, 3.6.066, 4.3.020, 4.4.040, and 6.1.030, is hereby adopted and approved.

Section 3. The Staff Report of Chase Ballew, City Planner, dated February 5, 2024, inclusive of the exhibits attached thereto, all of which are in the record of the proceeding, is hereby adopted as the findings and conclusions of the City Council in support of the adoption of said Legislative Amendment, and the text amendments to the Dallas Development Code, as set forth herein.

Section 4. All prior and conflicting ordinances are hereby repealed.

Read for the first time: February 20, 2024
Read for the second time: March 4, 2024
Adopted by the City Council: March 4, 2024
Approved by the Mayor: March 4, 2024



KENNETH L. WOODS, JR., MAYOR

ATTEST:



BRIAN LATTA,
CITY MANAGER

APPROVED AS TO FORM:



LANE P. SHETTERLY,
CITY ATTORNEY

1.3.280 Recreational Vehicle Park

Characteristics. Recreational Vehicle Parks are a commercial use primarily designed to accommodate recreational vehicles for overnight stay as a form of transient lodging by providing space and support facilities for recreational vehicles, motor homes, or similar vehicles to park overnight while occupied. This includes facilities with park-owned recreational vehicles held out for rent for on-site occupancy.

Accessory Uses. Accessory uses may include offices, employee or operator living units, recreational facilities, canteens, convenience stores, gift shops, service buildings, restrooms, dumping stations, showers, laundry facilities, storage units; and other uses and structures customarily a part of the RV park or campground operation.

Exceptions. Uses where unoccupied recreational vehicles are manufactured, offered for sale or lease, or are stored are not included as Recreational Vehicle Parks.

1.3.440 Park and Ride

Characteristics. Park and Ride facilities are intended to facilitate use of public transportation and carpooling by commuters by providing a place to park privately owned vehicles such that drivers may continue their journey in a different vehicle. Park and Ride facilities are generally located along major travel corridors in close proximity to bus stops, train stations, and major crossroads. Park and Ride facilities may be owned and operated by government organizations (transit districts, transportation departments, municipalities) but may also be leased from private entities with surplus weekday parking capacity such as churches and shopping centers.

Accessory Uses. Accessory uses may include offices and ticketing halls, employee or operator break rooms, vending areas, service buildings, and rest rooms, and electric vehicle charging stations.

Exceptions. Uses where the drivers of parked vehicles are generally not continuing their journey on another vehicle, but are instead patronizing businesses or institutions within walking distance, are not park and ride facilities.

1.3.500 Agriculture

- A. **Characteristics.** Agriculture includes activities that raise, produce or keep plants or animals for the purpose of obtaining a profit in money.
- B. **Accessory uses.** Accessory uses include dwellings for proprietors and employees of the use, and animal training and veterinary services.
- C. **Examples.** Examples include breeding or raising of fowl or other animals; dairy farms; stables; riding academies; kennels or other animal boarding places; veterinary services; farming, truck gardening, forestry, tree farming; and wholesale plant nurseries.
- D. **Exceptions.**
 - 1. Processing of animal or plant products, including milk, and feed lots, are classified as Manufacturing and Production.
 - 2. Livestock auctions are classified as Wholesale Sales.
 - 3. Plant nurseries that are oriented to retail sales are classified as Retail Sales and Service.
 - 4. When kennels are limited to boarding, with no breeding, the City may determine the use category is Agriculture or Retail Sales and Service.
 - 5. Gardens and hobby farms (e.g., less than one acre) may be classified as accessory to a Residential Use.

2.2.010 Purpose And Applicability

- A. **Purpose.** The Residential Districts are intended to promote the livability, stability and improvement of the City's neighborhoods, while accommodating development of needed housing types at a range of densities, including attached and detached housing, ~~multiple-family~~ multi-family housing, senior housing, manufactured and site-built housing, group housing, and other special needs housing. The Residential Districts also accommodate parks, schools, places of worship, and other services that are necessary to serve and create complete neighborhoods.
- B. **Applicability.** Residential land use districts or zones are applied in accordance with the policies and Land Use Map contained in the City of Dallas Comprehensive Plan. See Table 2.2.010A. The district standards are based on the following principles:
1. Promote the orderly development and improvement of Dallas's neighborhoods, while maintaining and enhancing the community's historic character and traditional neighborhood development patterns.
 2. Make efficient use of land and public services and implement the Comprehensive Plan.
 3. Designate land for the range of housing types and densities needed by the community, including owner-occupied, rental housing, and special needs housing.
 4. Provide flexible lot standards that encourage a mixture of compatible land uses, efficiency in site design, and environmental compatibility.
 5. Provide for compatible building and site design at an appropriate scale; provide standards that are in character with the built and natural environment of Dallas.
 6. Apply the minimum amount of regulation necessary to ensure compatibility with existing residences, schools, parks, transportation facilities, and neighborhood services.
 7. Reduce reliance on the automobile for neighborhood travel and provide options for multiple modes of travel, including walking, bicycling and transit.
 8. Provide direct and convenient access to schools, parks, trails, and neighborhood services.

C. **Residential Districts.**

Residential Low. The Residential Low (RL) district accommodates a residential density of between 4 and 9 dwelling units per net buildable acre under the base development standards of the district. The predominant uses are single family dwellings, duplexes and accessory uses; however, other housing is allowed with specific limitations. Parks, schools, and other civic and institutional uses are also allowed. **Residential Medium.** The Residential Medium (RM) district accommodates detached single family homes on small lots and small-scale multi-family housing, ~~such~~ as well as duplexes and townhomes, at densities between 6 and 16 dwelling units per net buildable acre under the base development standards of the district. Parks, schools, and other civic and institutional uses are also allowed. **Residential High.** The Residential High (RH) district accommodates a mix of housing types at densities between 10 and 40 dwelling units per net buildable acre. Parks, schools and other civic and institutional uses are also allowed.

2.2.020 Allowed Land Uses And Building Types

Table 2.2.020 identifies the land uses and building types that are allowed in the Residential Districts. The specific land use categories are described and uses are defined, respectively, in Articles 1 and 6.

Table 2.2.020– Land Uses and Building Types Allowed in Residential Districts				
<i>Land Uses and Building Types</i>	<i>Land Use Districts</i>			<i>Special Use Provisions</i>
(Uses & building types in Chapter 1.3; definitions in Chapter 6.1)	RL	RM	RH	
Residential Categories				
Household Living				
Single Family House	P	P	P	
Accessory Dwelling Unit	S	S	S	Section 2.2.120A
Duplex (2 dwelling units sharing a common wall on one lot)	P	P	P	
Attached House (2 dwelling units sharing a common wall with each unit on its own lot)	P	P	P	
Attached House (3 or more common-wall dwelling units), each on its own lot	N	S	S	Section 2.2.120B
Cottage Cluster (2-4 8 single family dwellings on one lot, oriented to an alley or common green, and each containing less than 1,200 square feet of floor area)	S	S	S	Section 2.2.120H
Manufactured Home on a Lot	S	S	N	Section 2.2.120F
Manufactured Dwelling Park				
- Equal to or less than 3 acres	N	S	S	Chapter 2.9
- Greater than 3 acres	N	N	S	
Modular Home on a lot	S	S	S	Section 2.2.120M
Multi-family (3 or more dwellings on a lot; Includes Senior Housing, some types of Assisted Living and Single Room Occupancy Uses, but not Group Living)	N	S	S	Section 2.2.120H
	N	S	S	Section 2.2.120J

Zero Lot Line Courtyard Housing (not common wall)				
Group Living				
Residential Home	S	S	N	Section 2.2.120D
Residential Facility	CU + S	S	S	Section 2.2.120D
Commercial Categories				
Drive-Up/Drive-In/Drive-Through (drive-up windows, kiosks, ATM's, similar uses/facilities)	N	N	CU + S	Section 2.3.100
Bed and Breakfast Inn	CU + S	CU + S	CU + S	Section 2.2.120C
Educational Services, Commercial (e.g., tutoring or similar services); not a home occupation	N	CU + S	CU + S	Limited to 1,200 square feet of floor area
Entertainment, Major Event	N	N	N	
Home Occupation	S	S	S	Per standards of Section 2.2.120E and procedures in Chapter 4.9
Office, not a home occupation; fully enclosed in primary and/or accessory building	N	CU + S	CU + S	Limited to 1,200 square feet of floor area
Outdoor Recreation, Commercial	N	N	N	
Commercial Parking	CU	CU	CU	
Quick Vehicle Servicing or Vehicle Repair	N	N	N	
Recreational Vehicle Park	N	N	N	
Retail Sales and Service; excluding Eating and Drinking Establishments as primary use	N	N	N	
Self-Service Storage, when not accessory to a permitted use	N	N	CU	
Short-Term Vacation Rental, primary dwelling or accessory dwelling; not a recreational vehicle or mobile home	CU + S	CU + S	N	Section 2.2.120I
Industrial Categories				
Industrial Service, enclosed in primary building	N	N	N	

Manufacturing and Production, fully enclosed in primary and/or accessory building	N	N	N	
Warehouse and Freight Movement	N	N	N	
Waste-Related when not accessory to a primary permitted use (e.g., trash and recycling storage and sorting, garden composting)	N	N	N	
Wholesale Sales when accessory to a primary permitted use	N	N	N	
Institutional Categories				
Basic Utilities when not accessory to a primary permitted use	CU	CU	CU	Wireless Communication Facilities Subject to CU
Community Service; Government, except drive-up facilities or uses (includes clubs and lodges, public and quasi-public buildings where public is received, other community services)	CU	CU	CU	
Daycare, adult or child care; except: Family Childcare (16 or fewer children)	CU + S P	CU + S P	CU + S N	Provide City with evidence of compliance with ORS 329A.250 and 329A.440(4)
Medical Centers Hospitals and Medical Clinics	N	N	N	
Incarceration Facilities	N	N	N	
Parks, Open Space, and Common Areas	P	P	P	
Religious Institution, House of Worship	CU	CU	CU	Conditional Use Permit required, except where City codes preempted by Federal or State law
Schools	P/CU	P/CU	P/CU	Permitted (P) when part of a Master Plan; otherwise CU
Park and Ride	N	P/CU	P/CU	Permitted (P) when part of a Master Plan; otherwise CU
Accessory Structures, total of all accessory structures on site	P CU	P CU	P CU	

- Not taller than 15 ft. and not wider than 50% of width of primary building footprint - Taller than 15 ft. or wider than 50% of width of primary building footprint				
Agriculture – Animals	SN	N	N	Section 2.2.120L
Agriculture – Crops and Nurseries SNN				
Mining	N	N	N	
Radio Frequency Transmission Wireless Communication Facilities, Wind Turbines, and Similar Structures	CUN	CUN	CUN	Chapter 4.3 Conditional Use Permit, except Ham and Similar Amateur Radio exempt when height limits are met
Utility Corridors (e.g., regional gas pipelines, electrical transmission lines, etc.), except those existing prior to January 22, 2010 , are permitted	CU	CU	CU	
Temporary Uses	P/CU			Temporary uses subject to Section 4.9.010
Transportation Facilities (operation, maintenance, preservation, and construction in accordance with applicable standards of the roadway authority) are Permitted; other Transportation Facilities require Conditional Use Permit and are subject to review and approval by the applicable road authority.				
Non-Conforming Uses. Uses and structures lawfully established prior to January 22, 2010 may continue pursuant to Chapter 5.2 Non-Conforming Situations. The City may require upon annexation rezoning that uses conform to the current code requirements for the zone in which they are located.				
Uses Subject to Preemptive State or Federal Law are allowed pursuant to applicable laws				

2.2.030 General Development Standards

The development standards in Table 2.2.030 apply to all uses, structures, buildings, and development, and major remodels, in the Residential Districts.

Table 2.2.030– Development Standards for Residential Districts				
Standard General Development Standards may be adjusted through Chapter 4.5 Master Planned Development		Land Use Districts		
		RL	RM	RH
A)	Minimum and Maximum Residential Density (Dwelling units per net buildable acre after subtracting required right-of-way. Does not apply to partitions of 3 or fewer lots and to conversion of existing detached single-family houses to duplex.) All residential zones are subject to Housing Density standards in Section 2.2.050.	4-9	6-16	10-40
	Minimum Average Lot Area*			
	Single Family House, non-attached	5,000 sf	4,000 sf	3,000 sf
	Attached House	2,500 sf	2,000 sf	1,500 sf
	Single Family House with Accessory Dwelling Unit	6,000 sf	4,000 sf	4,000 sf
	Duplex	5,000 sf	5,000 sf	3,000 sf
	Multiple-Family or Cottage Cluster, per allowable density	12,000 sf	7,000 sf	7,000 sf
	*Minimum lot area in new land divisions platted for single family, housing is the average area for all lots, categorized by above lot type, in the land division, provided that no lot shall be smaller than 80% of the area shown at right, and the land division shall conform to the above Density standards and requirements for Lot Size Averaging in Chapter 4.3.		10,000 sf	

<p>C)</p>	<p>Minimum Lot Width/Depth (feet), per minimum lot size, density, setbacks, and lot coverage</p> <p>Single Family House</p> <p>Attached House</p> <p>Single Family with Accessory Dwelling Unit</p> <p>Duplex</p> <p>Multiple-Family or Cottage Cluster</p> <p>*Flag lots subject to Chapter 4.3</p>	<p>50' / 75'</p> <p>25' / 62'</p> <p>60' / 80'</p> <p>50' / 75'</p> <p>100' / 100'</p>	<p>40' / 60'</p> <p>20' / 30'</p> <p>50' / 75'</p> <p>40' / 60'</p> <p>100' / 100'</p>	<p>30' / 45'</p> <p>15' / 2225'</p> <p>40' / 60'</p> <p>30' / 45'</p> <p>100' / 100'</p>
<p>D)</p>	<p>Building/Structure Height Except Fences, Garden Walls and Other non-Building Structures are subject to Section 3.2.050, Fences and Walls.</p> <p>Primary buildings</p> <p>Accessory buildings (except accessory dwellings are subject to the height limitations and setback requirements for primary structures)</p> <p>Buildings exceeding above standards, with Conditional Use Permit</p>	<p>28 ft</p> <p>15 ft</p> <p>+ 5 ft</p>	<p>40 ft</p> <p>15 ft</p> <p>+ 8 ft</p>	<p>48 ft</p> <p>15 ft</p> <p>+ 8 ft</p>
<p>E)</p>	<p>Lot Coverage (Impervious Surfaces): Max. Lot Coverage by Impervious Surfaces draining into a public right-of-way or draining off-site. Areas covered with pervious surfaces (e.g., planted areas, porous paving systems, etc.) and allowing on-site infiltration of stormwater, are not counted toward lot coverage, provided such areas are designed to City standards. Adjustments are limited to 10% (e.g., up to 55% in RL), except as approved through a Master Plan under Chapter 4.5</p>	<p>50%</p>	<p>65%</p>	<p>75%</p>

2.2.030 - Residential Districts - General Development Standards

F)	<p>Min. Open Space Area (% site area); except does not apply to Single Family House, Attached House, or duplex dwelling lots, only the subdivision as a whole.</p> <p>Where a subdivision site does not contain suitable land for open space, the City may accept a fee equal to 6% of the site's Real Market Value, per the current Assessor's file, in lieu of open space. The landscaped portion of common area or green roof, when approved by Planning Official, may count toward meeting landscape area requirement under Section 3.2.030.D.</p> <p>Required Children's Play Area, see Section 2.2.120H Multi-family Housing</p>	6% per residential subdiv.; 15% for cottage clusters and other uses where open space is required	6% per residential subdiv.; 15% for cottage clusters and other uses where open space is required	15%
G)	<p>Minimum Setbacks (feet), except as otherwise required for Clear Vision areas and per Section 3.2.060, Fences and Walls. Other standards may preclude building at a minimum setback. Structures shall not encroach into easements for utilities, access ways, etc. See also, Clear Vision Area requirements and special setbacks for planned street improvements, respectively, in Chapter 3.2 and Chapter 3.4.</p>			
G.1)	Front/Street Side Yard, Primary Structures, Fronting Local Street with Standard ROW	15 ft	12 ft	12 ft
G.2)	Front Yards and Street Side Yards, Primary Structures, Fronting a Collector or Arterial Street with Standard ROW	20 ft	20 ft	20 ft
G.3)	Front Yards and Street Side Yards, Primary Structures, Fronting Any Street Without Standard ROW (measured from designated street centerline)	1/2 - width standard ROW, plus setback		
G.4)	Garage or Carport Opening Facing a Street, as determined by Community Development Dept.	20 ft	20 ft	20 ft
G.5)	Front/Street Side Yard, Accessory Structures	Where an accessory structure is visible from a street, it shall be set back behind the front/side building elevation adjacent to the subject street. The street side yard setback for an accessory structure may be reduced to 5 ft, if the structure is screened with a 6 ft high sight-obscuring fence, wall or hedge.		

G.6)	Interior Side Yards, Primary Structure, Not Abutting Alley. Note additional setbacks may be required pursuant to building codes and other Development Code provisions.	5 ft	3 ft	3 ft
G.7)	Interior Side Yards, where common wall or zero-lot line is allowed. See also, Section 2.2.120.B & J	0 ft	0 ft	0 ft
G.8)	Interior Side Yard, Accessory Structure	3 ft for structures up to 15 ft in height; Taller structures shall conform to Primary Structure setbacks		
G.9)	Yard Abutting Alley; Allowed Only Where Alley is Improved to City Standards	3 ft	3 ft	3 ft
G.1 0)	RM or RH Yard Abutting RL Yard	10 ft	10 ft	15 ft
G.1 1)	Parking Lot (e.g., multi-family, commercial, or institutional use) abutting RL District; see Chapter 3.2 Landscaping	10 ft	10 ft	10 ft
G.1 2)	Rear Yard, Primary Structure	10 ft	10 ft	15 ft
G.1 3)	Rear Yard, Accessory Structure	3 ft for structures up to 15 ft in height; Taller structures shall conform to Primary Structure setbacks		
G.1 4)	Reduced Setback for Covered Front Porch	8 ft Reduction in front and street side setbacks allowed where structure does not conflict with any easement		
G.1 5)	Special Setback for Development on Oversized Lot	Where a lot is more than twice the minimum lot size of the zone, the dwelling shall be placed to allow for future land division in accordance with the minimum dimensional standards of this Chapter and requirements of the Land Division criteria of Chapter 4.3.		

2.2.050 Housing Density

- A. The total number of dwelling units in single family subdivisions is calculated by multiplying the total parcel or lot area in acres (including fractions to 0.01) after subtracting required right-of-way by the applicable density standard of the zone. The result is the allowable number of dwelling units, subject to compliance with applicable development standards.
- B. The total number of dwelling units allowed in ~~mixed~~-housing developments (~~i.e., those~~ that contain units other than single family dwellings) is calculated in the same manner as under subsection 'A', except that dwelling units have the following values with respect to calculating the actual density of a development proposal:*
1. Group Living: 0.25 dwelling unit per full-time resident
 2. Apartment: 0.50 dwelling unit per studio or 1-bedroom apartment; 0.75 dwelling unit per 2-bedroom apartment; 1.0 dwelling unit per 3-bedroom apartment
 3. Duplex and Attached House: 2 dwelling units per Duplex or Attached House
 4. Single Family House: 1 dwelling unit per single family dwelling (attached or non-attached)
 5. Accessory Dwelling Unit: 0.50 dwelling unit per accessory dwelling unit
 6. Cottage Cluster: 0.75 dwelling unit per cottage
 7. Other Dwelling Types: Determined by Planning Official through Type II Code Interpretation (Section 4.8) based on data and comparison to listed housing types
- C. Areas reserved for private access, stormwater treatment, and open space are counted for the purpose of calculating allowable density.
- D. Areas conveyed or dedicated to the public for stormwater treatment or open space, exclusive of public street rights-of-way, are counted for the purpose of calculating allowable density.
- E. Areas reserved for flag lot access (flag poles) are counted for the purpose of calculating allowable density but are not included in calculating minimum lot area for subject flag lots.

*The above density standards under A and B, are applicable in review of new housing development applications. In accordance with OAR 660-046-0120(2), maximum density does not apply to the development of duplexes. Also, in accordance with OAR 660-046-0130, conversion of existing detached single-family housing dwellings to duplex are allowed and subject to the above, provided that the conversion does not increase nonconformity with the applicable development standards for building height, lot coverage and setbacks as contained in Article 2.

2.2.070 - Residential Districts - Building Orientation Standards

2.2.070 Building Orientation Standards

- A. **Purpose.** The following standards are intended to orient building entrances toward streets to allow for safe and effective use of multiple modes of transportation, including walking, bicycling and transit. Placing residences and other buildings close to the street also encourages crime prevention, natural surveillance and security of public and private property, and overall neighborhood safety and livability by having more eyes-on-the-street.
- B. **Applicability.** Section 2.2.070 applies to buildings and developments that are subject to Site Design Review under Chapter 4.2. See also, Chapter 3.1 Access and Circulation. The standards of this Section may be adjusted through a Type II review, provided the adjustment is consistent with the above purpose and the applicant demonstrates that an alternative proposal meets the intent of the standard.
- C. **Building Orientation Standards.** All dwelling units shall have their primary entrance oriented to a public street sidewalk, as generally illustrated in this Section. Where no adjacent public street sidewalk exists or it is not practical to orient an entrance to a public street due to topographic or other physical site constraints, dwelling entrances may orient to a walkway, courtyard, or common lobby or breezeway (i.e., for ~~multiple multi-~~ family buildings) meeting the standards of Section 3.1.030. Where a site contains multiple buildings and there is insufficient street frontage to which buildings can be oriented, a primary entrance may be oriented to common green, open space, plaza, or courtyard (e.g., Cottage Cluster). When oriented in this way, the primary entrance(s) and green, plaza, or courtyard shall be connected to the street, and all primary building entrances shall be connected to one another, by pedestrian walkway(s) meeting the standards in Section 3.1.030. See example in Figure 2.2.070.C(1) “acceptable site plan.”
1. Where a proposed development abuts a City-approved alley or shared access drive that has been created for purposes of accessing the subject site, off-street parking for the development shall be accessed primarily from the alley or shared driveway and direct access to abutting streets shall be minimized.
 2. Off-street parking, driveways, and other vehicle areas shall not be placed between primary building entrances and the street(s) to which they are oriented, except the vehicle areas described in subsections 3-5 below are allowed where the decision making body finds that they will not adversely affect pedestrian safety and convenience:
 3. Nursing homes, assisted living facilities, schools, places of public assembly or religious worship, and similar institutional uses may have one driveway located between the street and the primary building entrance, provided that the building’s primary entrance is connected to an adjacent street by a raised pedestrian walkway, as required by Section 3.1.030. The intent of this exception is to provide for one drop-off/loading zone while maintaining a direct, convenient and safe pedestrian access to a primary building entrance;
 4. Single-family and duplex dwellings may have off-street parking between building entrances and the street, provided that garage openings shall ~~be meet the relevant~~ setback ~~at least twenty (20) feet~~ from the street right-of-way.
 5. Attached Houses (townhomes) that contain street-facing garage openings shall have not more than one (1) driveway access located between the street and the primary building entrance for every two (2) attached dwelling units; except that this requirement does not apply where the width of townhome lots is 50 feet or greater. Where a shared driveway is required, it shall meet the following criteria, as generally shown in Figure 2.2.070C(2):
 - a. Where two abutting ~~attached houses~~ (townhomes) are required to share one driveway, the driveway access shall not exceed 16 feet in width where it crosses the sidewalk and where it intersects the street (excluding driveway apron);
 - b. All primary building entrances shall be connected to the driveway (and sidewalk) via a pedestrian walkway ~~that is not less than three (3) feet wide; as required by Section 3.1.030.~~
 - c. All street-facing garage openings and carport openings shall ~~meet the relevant setback from the street right-of-way~~ ~~be setback at least 20 feet from the back of sidewalk~~ and shall be recessed at least six (6) feet behind the front building elevation; a front porch projecting at least six (6) feet beyond the garage opening meets the “recess” requirement;
 - d. The width of all street-facing garage openings on ~~attached houses~~ (townhome) building shall not exceed fifty percent (50%) of the overall width of the building façade or street-facing elevation, as generally illustrated in Figure 2.2.070.C(2).

2.2.080 Housing Variety Standards

- A. Purpose. Require new neighborhoods and large subdivisions to contain a variety of housing types. Housing variety is in the public interest because it supports housing at price ranges and rent levels that are commensurate to local incomes, promotes livability by offering housing choices, and contributes to the development of complete neighborhoods, consistent with the Comprehensive Plan.
- B. Applicability. Section 2.2.080 applies to land divisions creating or having the potential to create twenty (20) or more lots on any parcel or contiguous parcels in the RL and RM zones. For the purpose of this Section, “project proposal” means the sum total of all proposed development (acres and dwellings) and potential future development on contiguous land under the same ownership that could occur under existing zoning. “Same ownership” means ownership by the same individual, group, organization, corporation or other legal entity; or such entity holds a majority interest. The standards of this Section may be adjusted through a Type II review, provided the adjustment is consistent with the above purpose and the applicant demonstrates that an alternative proposal meets the intent of the standard.
- C. Housing Variety Standards. Project proposals shall achieve a minimum of twelve (12) points based on the following criteria. Lots and housing units used to comply with the standards below should be evenly distributed throughout all phases of the subdivision
 - 1. Minimum Density (required). Projects are required to meet the minimum density standard, per Table 2.2.030, except as allowed elsewhere in this code. No points are awarded for compliance with the minimum density standard.
 - 2. **Option 1: Lot Size Variety.** Choose one of the following options:

Criteria	Points
a) At least 10% of lots in the project are at least 20% smaller than the project's median lot size*	3
b) At least 20% of the lots in the project are at least 20% smaller than the project's median lot size*	6
c) At least 30% of the best lots in the project are at least 20% smaller than the project's median lot size*	9

*This option may not be used if it would result in a lot size less than the minimum for the zone. Percentages are rounded to the closest whole percent (1%); fractional points are not awarded.

3. **Option 2: ~~Housing choices~~Small houses.** Choose one of the following options:

Criteria	Points
a) At least 10% of the <u>lots in the project are reserved for "small houses"*</u> dwelling units in the project consist of "small housing types"*	3
b) At least 20% of the <u>lots in the project are reserved for "small houses"*</u> dwelling units in the project consist of "small housing types"*	6
c) At least 30% of the <u>lots in the project are reserved for "small houses"*</u> dwelling units in the project consist of "small housing types"*	9

*Lots to be reserved under this option shall be identified with the land division application. Reservation shall be enforced through deed-restrictions for a period not less than 15 years. Small houses housing types are single-family dwelling units that individually contain less than 1,600 square feet of enclosed floor area excluding garages. Percentages are rounded to the closest whole percent (1%); fractional points are not awarded. Small houses housing types may include duplex dwelling units that contain less than 1,600 square feet per unit.

4. **Option 3: Affordable housing.** Choose one of the following options:

Criteria	Points
a) At least 15% of the dwelling units in the project reserved for qualifying buyers or renters with incomes at or below Polk County area median income.*	3 6
b) At least 10% <u>20%</u> of the dwelling units in the project reserved for qualifying buyers or renters with incomes at or below 80% of Polk County area median income.*	6
c) At least 5% <u>25%</u> of the dwelling units in the project reserved for qualifying buyers or renters with incomes at or below 60% of Polk County area median income.*	9 6

* Income levels determined based on household size and other factors, in accordance with U.S. Department of Housing and Urban Development criteria. Housing must ensure housing affordability through deed-restrictions for a period not less than **15 years**. Percentages are rounded to closest whole percent (1%); fractional points are not awarded. A development agreement is required.

5. Option 4: Middle housing types. Choose one of the following options:

Criteria	Points
<p>a) At least 10% of the lots in the project are reserved for duplexes, attached houses, or detached single-family houses with accessory dwelling units.*</p>	<p>3</p>
<p>b) At least 20% of the lots in the project are reserved for duplexes, attached houses, or detached single-family houses with accessory dwelling units.*</p>	<p>6</p>
<p>c) At least 35% of the lots in the project are reserved for duplexes, attached houses, or detached single-family houses with accessory dwelling units.*</p>	<p>9</p>
<p>d) More than 50% of the lots in the project are reserved for duplexes, attached houses, or detached single-family houses with accessory dwelling units.*</p>	<p>12</p>

* Lots to be reserved under this option shall be identified with the land use application. Reservation shall be enforced through deed-restrictions for a period not less than **15 years**. Percentages are rounded to closest whole percent (1%); fractional points are not awarded.

2.2.100 Building Design Standards

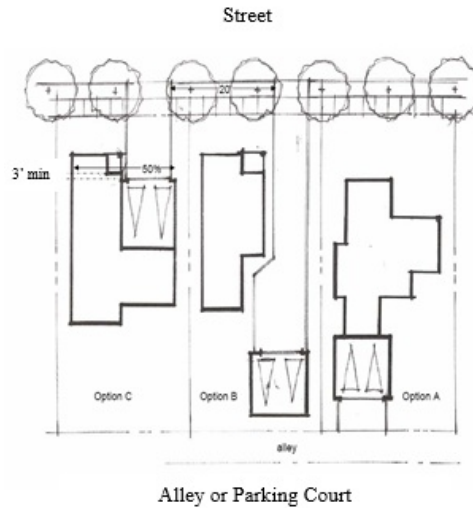
A. Purpose. Establish clear and objective standards for building design in Residential Districts to promote land use compatibility and livability while protecting property values and ensuring predictability in the development process. The intent is to:

1. Reinforce Dallas' sense of place and respect the local architectural vernacular of Dallas.
2. Reduce the visual dominance of garage openings as viewed from abutting streets, parks, and other public use areas
3. Encourage a diversity of building facades and rooflines at an appropriate neighborhood scale.
4. Promote compatible building-to-building relationships, and to create a sense of street enclosure at a pedestrian-scale in urban neighborhoods.

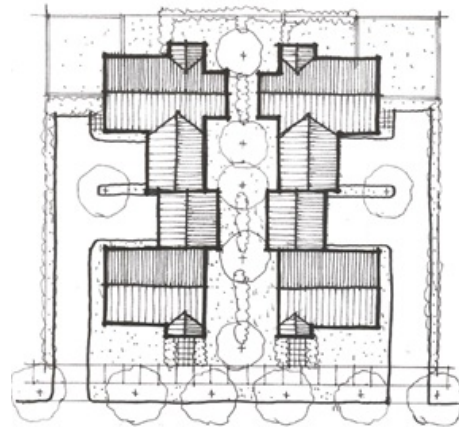
B. Applicability. Section 2.2.100 applies to all new dwelling types, including multi-dwelling buildings, single family house, attached house (townhome), duplexes, and cottage cluster developments. The standards are applied through building plan review for single family house dwellings or duplexes, and Site Design Review and/or Planned Unit Development Review, as applicable, for other building types. In addition, other building design standards may apply for certain types of land use and development, as provided under Section 2.2.120 Special Use Standards. The standards of Section 2.2.100 may be adjusted through the Adjustment (Type II) procedure provided the Adjustment is consistent with the above purpose and the applicant demonstrates that the proposed design meets the intent of the standard for which an Adjustment is sought.

C. Standards**1. Garage Orientation and Design.**

- A. Purpose.* The following requirements for garage design are intended to balance residents' desire for convenient vehicle access to their homes with the community's desire to have safe and aesthetically pleasing streetscapes. The standards therefore promote pedestrian safety and aesthetic concerns associated with garages, while allowing garages that do not detract from the appearance and walkability of Dallas' neighborhoods.
- B. Alleys.* Where alleys or shared driveways exist or are proposed (Option A), all garages and off-street parking areas shall orient to the alley/driveway.
- C. Garage Setback.* Where street-loaded garages are proposed (Options B or C), all garage openings shall be setback from the street property line [as specified in Section 2.2.030.G.4.](#) ~~by at least twenty (20) feet.~~



- D. *Garage Openings.* Garage openings shall not exceed fifty percent (50%) of the width of the front building elevation, except where at least one of the following criteria is met:
1. The garage is side-loaded and does not have any openings facing a street (e.g., garage oriented to a driveway or parking court); such side-loaded garages shall have windows on at least a portion of the street-facing elevation; or
 2. The garage opening(s) are recessed or offset at least three (3) feet behind the front elevation of dwelling as viewed from the street. Projections may include arbors, porticos and/or similar architectural feature extending for the width of all garage



openings.

Street or Alley

See also, requirements for three-car and wider garages under subsection 2.2.100.C.1.h.

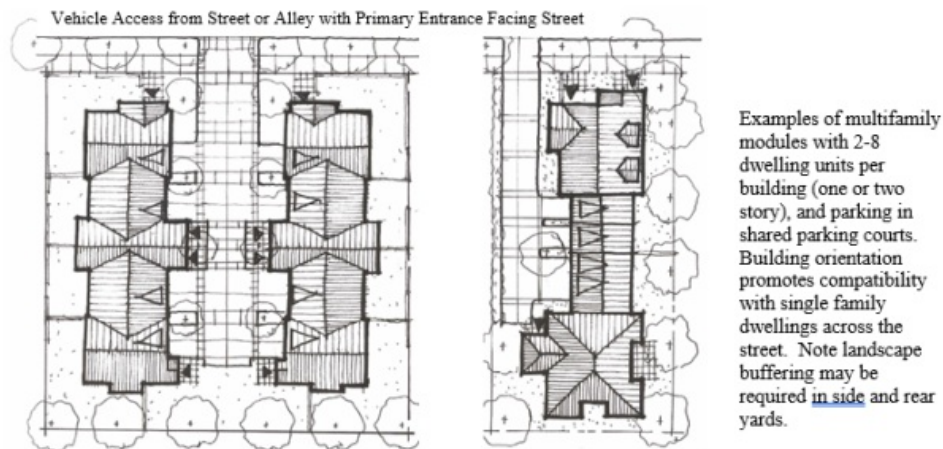
- E. *Driveway Approaches.* Driveway throats servicing detached single-family houses shall not exceed the following widths (not including wings):

<i>Lot frontage</i>	<i>Driveway width</i>
<55'	22'
55'-70'	26'
>70'	32'

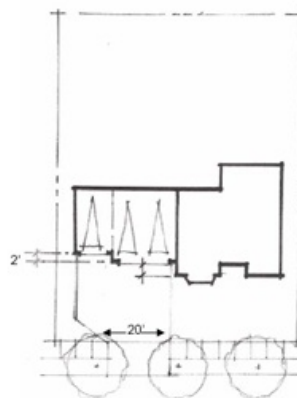
Driveways may *expand* to a width greater than the maximum width where they are located behind the property line. For driveways servicing attached single-family houses (townhomes) see section 2.2.070.C.5.

- F. *Recreational Vehicles and Outdoor Vehicle Storage.* All RVs, boats, trailers, and similar vehicles and equipment shall be stored in one of the following locations:
1. An approved off-street parking space such as a driveway, or
 2. Setback from the street property line by at least twenty (20) feet, or
 3. Screened behind a sight-obscuring fence (e.g., wood, chain-link with slats, or similar screening).

G. *Driveway Spacing and On-Street Parking.* To the extent practicable, subdivision lots and dwelling plans should be oriented to provide for on-street parking (e.g., by staggering driveways on opposite sides of a street). Driveway curb openings shall be spaced at least eighteen (18) feet apart from one another to provide space for on-street parking between them; alternatively, where closer spacing results in more efficient on-street parking, driveways may be paired together. Where driveways are paired, a four (4) minimum foot landscape strip beginning ten (10) feet back from the sidewalk or right-of-way is required between them for surface water runoff, i.e., two (2) foot landscape strip on each lot between driveway and common property line.



H. *Three-Car and Wider Garages.* Where three (3) or more contiguous garage parking bays on the same structure are proposed facing the street, the garage opening closest to a side property line shall be off-set at least two (2) feet from the adjacent bays to break up the appearance of the garage elevation. Note: Side-loaded garages where the garage openings do not face a street are exempt from this requirement.



2.2.120.A Accessory Dwelling

Accessory Dwelling Unit (attached, separate cottage, or above detached garage). Accessory dwelling units shall conform to all of the following standards:

1. **Floor Area.** Accessory dwellings shall not exceed 800 square feet of floor area, or one-half of the primary dwelling unit floor area, whichever is smaller. The unit can be a detached cottage, a unit attached to a garage, or in a portion of an existing house. The floor area of the primary dwelling unit's garage is not included in the calculation;
2. **Housing Density for subdivision review.** Accessory dwellings shall equal 0.5 dwelling unit for purposes of calculating allowable density, if proposed as part of a subdivision or master plan development. See Table 2.2.030;
3. **Oregon Structural Specialty Code.** The accessory dwelling shall comply with applicable building code;
4. **One Unit.** A maximum of one (1) accessory dwelling unit is allowed per legal lot;
~~Accessory dwellings are not permitted on legal lots developed for duplex residential;~~
5. **Building Height.** The building height of a detached accessory dwelling (e.g., separate cottage) shall not exceed the height of the primary dwelling;
6. **Buffering.** The decision making body may require a landscape hedge or fence be installed on the property line separating a detached accessory dwelling from an abutting single family dwelling for the purposes of visual screening and privacy between uses.
7. **Setbacks.** Newly constructed, detached accessory dwellings must meet the side and rear setbacks for accessory structures. Conversion of existing lawfully established detached structures into accessory dwellings need not meet setback requirements so long as fire code standards are met.

2.2.120.H Multiple Family Housing

Multiple Multi-Family Housing (including Cottage Cluster Housing). Where ~~multiple multi-~~ family housing is allowed, it shall conform to all of the following standards, which are intended to promote livability for residents and compatibility with nearby uses. The standards of subsection 2.2.120.H may be adjusted through Site Design Review pursuant to Chapter 4.1. Figure 2.2.120.H provides a conceptual illustration of the requirements listed below.

1. **Density.** The residential density of ~~multiple multi-~~family developments is calculated pursuant to Section 2.2.050.
2. **Building Mass.** The maximum width or length of a ~~multiple multi-~~family building shall not exceed ~~120~~ 150 feet from end-wall to end-wall, not including outdoor living areas. (e.g., porches, balconies, patios, and similar unenclosed spaces). Buildings shall avoid monolithic facades by including architectural elements such as bay windows, recessed entrances, changes in materials, or other articulation so as to provide pedestrian scale to the ground floor at no more than 30-foot intervals.
3. **Common Open Space.** Open space shall be provided with all ~~multiple multi-~~family developments in accordance with Table 2.2.030 and all of the following criteria:
 - A. The ~~multiple multi-~~family development shall contain one or more of the following: outdoor recreation area, protection of sensitive lands (e.g., trees preserved), play fields, outdoor playgrounds, outdoor sports courts, swim pools, walking fitness courses, pedestrian amenities, or similar open space amenities for residents. The decision making body shall have discretion to determine the appropriate type of open space based on the characteristics of the site and impacts of the proposed use. For example, ~~multiple multi-~~family developments that are not age-restricted (senior housing) are presumed to require a child play area with appropriate play equipment.
 - B. Historic buildings or landmarks that are to be preserved in accordance with the requirements of the State Historic Preservation Office may count toward meeting the common open space requirements.
 - C. To receive credit under Section 2.2.120.H3, the common open space shall have an average width that is not less than 20 feet and an average length that is not less than 20 feet. The City decision making body may require additional open space if some portions of a proposed open space area are unsuitable for the intended use;
 - D. Where the development contains pedestrian amenities located between primary building entrance(s) and adjoining streets (e.g., parkway, plaza, transit stop, or similar amenity with appropriate landscaping and furnishings), such area may count toward fulfilling up to 50 percent of required common open space; however, parking areas and required landscaping buffers are not counted toward meeting the required open space standard;
 - E. The decision making body may waive the common open space requirement for a ~~multiple multi-~~family project containing fewer than twenty-four (24) dwellings that is located within 1,320 feet (measured walking distance) of a public park, where there is a direct, accessible (i.e., Americans With Disabilities Act-compliant), lighted walkway connecting the site to the park. If the park is not developed, or only partially developed, the decision making body may accept improvements to park land in an amount comparable to that which would otherwise be required and waive the on-site common open space requirement.
 - F. Up to 50 percent of the required common open space area may be in a rooftop garden, where the proposal involves a density bonus or increase in building height pursuant to Section 2.2.090 Low-Impact Development Incentives.
4. **Private Open Space.** Private open space areas shall be provided, in addition to common open space, as follows:
 - A. All housing units shall have private open space consisting of front or rear patios or decks, or balconies (upper stories) measuring at least 48 square feet; or
 - B. Additional common open space shall be provided in an area equivalent to the private open space that is not provided (48 square feet per dwelling unit) and that common area shall be accessible to all dwelling units that do not have private open space.
5. **Trash Receptacles.** Trash receptacles, including sorting and storage of trash and recyclables, shall be oriented away from building entrances, setback at least ten (10) feet from any public right-of-way and adjacent residences and shall be screened with an evergreen hedge or solid enclosure of not less than six (6) feet in height. Receptacles shall be accessible to trash pick-up trucks.

2.2.120.L Agricultural Uses In RL District

Agricultural Uses ~~in RL District.~~

1. The following agricultural uses are permitted ~~in the RL District:~~
 - A. Gardens, accessory to residential use
 - B. Community Gardens
 - ~~C. Raising of not more than five (5) chickens—hens only—for personal, family or household use only, provided area is fenced and chicken coop is setback at least ten (10) feet from property line; no roosters allowed~~
 - ~~Raising of rabbits and similar small animals, excluding swine~~
 - ~~Raising of cattle, lamas, sheep, and similar livestock within a fenced area, with a minimum lot size of one (1) acre for the first animal and provided one-half acre for every additional head of livestock~~
2. The following agricultural uses are not allowed:
 - A. Raising of livestock or other animals for commercial purposes
 - B. Veterinary clinics, animal boarding, kennels and similar uses
 - C. Animal cemeteries, crematoria, and similar uses
3. Agricultural uses may be subject to state and federal requirements. Property owners are responsible for complying with applicable regulations, including nuisance laws.

2.3.020 Allowed Land Uses And Building Types

Key:

P = Permitted, subject to site/development review

S = Permitted with standards (Section 2.3.030)

CU = CU permit required (Chapter 4.3)

N = Not permitted

Table 2.3.020B – Land Uses Allowed in Commercial Districts				
Land Uses	Status of Use in District			
<i>(Uses and building types in Chapter 1.3; definitions in Chapter 6.1)</i>	C B D	C G	C N	Special Use Standards
Residential Categories				
Residential (Household Living and Group Living):				
Dwelling lawfully existing in its current location as of January 22, 2010 (may be rebuilt in the event of involuntary damage or destruction due to fire or other event beyond owner’s control)	P	P	P	New residential buildings (not in conjunction with ground floor commercial use) must conform to
New dwelling built in conjunction with a permitted commercial use, above ground floor	P	P	P	

commercial space				the Architectural Standards contained in Section 2.2.070 and 2.2.100.
New dwelling on the ground floor or not in conjunction with a permitted commercial use: 24 or more units/acre	N	C U +	N	
New dwelling not in conjunction with a permitted commercial use: <24 units/acre	N	N	C U +	
Commercial Categories				
Drive-Up/Drive-In/Drive-Through (drive-up windows, kiosks, ATM's, similar uses/facilities)	C U +	C U +	C U +	Section 2.3.100
Transient Lodging, including hotel, motel, bed and breakfast inn, and similar uses; excluding recreational vehicle park	P	P	P	
Educational Services, Commercial	P	P	P	
Entertainment, Major Event	C U	C U	N	
Offices	P	P	P	
Outdoor Recreation, Commercial	C U	C U	C U	
<u>Commercial</u> Parking Lot (when not an accessory use and not a recreational vehicle park)	C U	C U	C U	
Automobile Service: Quick Vehicle Servicing or Vehicle Repair. (See also Drive-Up/Drive-In/Drive-Through Uses)				
- Fully enclosed in a building	C U	P	C U	
- Not fully enclosed in a building	N	C U +	N	Section 2.3.100 applies to uses with drive-up/drive-in/drive-through facilities
- Automobile fueling	N	C U +	C U +	
Retail Sales and Service				
Primary use enclosed in building (allows 10% of sales/service area outside)	P	P	P	Section 2.3.100 applies to uses with drive-up/drive-in/drive-through facilities.
More than >10% of use not enclosed in building	C U	C U	C U	

Outdoor retail sales of Agricultural goods produced within 25 miles of site	P	P	P	
Recreational Vehicle Park (3 or more RVs)	N	C U	N	
<i>Industrial Categories</i>				
Industrial Service				Industrial uses, where allowed, are subject to Industrial Performance Standards in Chapter 2.4.
- Fully enclosed (e.g., similar to office)	S	S	C U +	
- Not fully enclosed (e.g., with some outdoor storage or activity)	N	C U +	N	
Manufacturing and Production				
- Fully enclosed	S	S	S	
- Not fully enclosed and not accessory to Retail Sales	N	N	N	
Self-Service Storage not accessory to a primary permitted use	N	N	N	
Warehouse and Freight Movement when not accessory to a primary permitted use	C U +	C U +	N	
Waste-Related, when not accessory to a primary permitted use	N	N	N	
Wholesale Sales				
- Primary use enclosed in building (allows 10% of sales area outside)	P	P	P	
- More than 10% of use not enclosed in building	C U	C U	C U	
- Outdoor sales of Agricultural goods, the majority of which are produced within 100 miles of site	P	P	P	
<i>Institutional Categories</i>				
Basic Utilities when not accessory to a primary permitted use	C U	C U	C U	Wireless Communication Facilities Subject to CU and Chapter 3.5.
Community Service; Government, except drive-up facilities or uses				
Clubs and lodges	C U	C U	C U	
Public and quasi-public buildings where	P	P	P	

public is received				
Other Community Services	C U	C U	C U	
Daycare, adult or child day care; not Family Daycare under ORS 329A.250	C U	C U	C U	
Parks, Open Space, and Common Areas: pedestrian amenities (e.g., plaza or outdoor seating, parks and recreation facilities, and other open space uses	P	P	P	
Religious Institutions and Houses of Worship	C U	C U	C U	
Schools, primary or secondary	C U	C U	C U	
<u>Medical Centers</u>	<u>C U</u>	<u>C U</u>	<u>C U</u>	
<u>Incarceration Facilities</u>	<u>C U</u>	<u>C U</u>	<u>N</u>	
<u>Park and Ride</u>	<u>N</u>	<u>C U</u>	<u>C U</u>	
Other Use Categories				
Accessory Structures (with a permitted use)	P	P	P	
Buildings and Structures exceeding height standards. See Table 2.3.030	C U	C U	C U	Height/density bonus subject to performance standards in Section 2.3.070B
Radio Frequency Transmission Facilities, Wind Turbines and Similar Structures when not accessory to a primary permitted use	C U	C U	C U	These facilities are Permitted when height limits of district area met. See also, Chapter 3.5 for Wireless Communication Facilities
Utility Corridors when not accessory to a permitted use	C U	C U	C U	
Temporary Uses when not accessory to a permitted use	P/CU			Only those uses designated as “P” or “CU”, are allowed and may be permitted, per Section 4.8.010.
Non-Conforming Uses. Uses and structures lawfully established prior to <i>[effective date of code]</i> may continue pursuant to Chapter 5.2 Non-Conforming Situations. Upon annexation or rezoning, uses shall conform to the current code requirements for the zone in which they are located.				
Transportation Facilities (operation, maintenance, preservation, and construction in accordance with applicable standards of the roadway authority) are Permitted; other Transportation Facilities require Conditional Use Permit				
Uses Subject to Preemptive State or Federal Law are allowed pursuant to applicable laws				

2.4.020 Allowed Uses

Table 2.4.020 identifies the land uses that are allowed in the Industrial District. The specific land use categories are described in Chapter 1.3. Definitions are contained in Chapter 6.1.

Table 2.4.020 – Land Uses Allowed in Industrial Districts		
<i>Uses</i>	<i>Status of Use in District</i>	
Use Categories <i>(Examples of uses are in Chapter 1.3; definitions are in Chapter 6.1.)</i>	I	Exceptions and Special Use Standards
Residential Categories		
Household Living		
Residential Uses (Household Living and Group Living) allowed, if:		New dwellings may be permitted without CU with a Master Planned Development. Only one caretaker dwelling per site is allowed and must be accessory to a primary permitted use.
- Lawfully existing as of January 22, 2010 (may be rebuilt within the existing footprint within 12 months of involuntary damage or destruction due to fire or other event beyond owner’s control)	P	
- New dwelling	CU	
- Caretaker dwelling	P	
Commercial Categories		
Drive-Up/Drive-In/Drive-Through (drive-up windows, kiosks, ATM’s, similar uses/facilities)	P	When in conjunction with Retail Sales and Services, must comply with Section 2.3.100
Bed and Breakfast Inn	N	
Educational Services, commercial	CU	Educational Services may be permitted without CU with a Master Planned Development
Entertainment, Major Event	CU	Entertainment, Major Event may be permitted without CU with a Master Planned Development. See also, Section 2.4.050
Offices	P	

Outdoor Recreation, Commercial	CU	Outdoor Recreation, Commercial may be permitted without CU with a Master Planned Development
<u>Commercial</u> Parking Lot (when not an accessory use)	CU	
Quick Vehicle Servicing or Vehicle Repair	P	See also, Section 2.4.050
Recreational Vehicle Park	N	
Retail Sales and Service	S	Retail Sales and Services are limited to 20,000 sq. ft. gross floor area and must be accessory to a primary permitted use
Self-Service Storage	<u>S</u> P	See also, Section 2.4.050
Industrial Categories		
Industrial Service		
- 50% or more of use enclosed in building	P	Percent of use not enclosed may be increased with a Master Planned Development. See also, Section 2.4.050
- <50% of use not enclosed in building	CU	
Manufacturing and Production		Percent of use not enclosed may be increased with a Master Planned Development. See also, Section 2.4.050
- 50% or more of use enclosed in building	P	
- <50% of use not enclosed in building	CU	
Warehouse and Freight Movement	P	See also, Section 2.4.050
Waste-Related	CU	See also, Section 2.4.050
Wholesale Sales		Percent of use not enclosed may be increased with a Master Planned Development. See also, Section 2.4.050
- 50% or more of use enclosed in building	P	
- <50% of use not enclosed in building	CU	
Institutional Categories		
Basic Utilities	P	See also, Section 2.4.050
Community Service	P	See also, Section 2.4.050
Daycare, adult or child day care; does not include Family Daycare under ORS 329A.250	CU	Daycare Center may be permitted without CU with a Master Planned Development.
Parks and Open Space	P	
Religious Institutions and Houses of Worship	CU	Religious Institutions and Houses of Worship Permitted when part of a Master Plan, per Chapter 4.5
Schools	CU	Schools Permitted when part of a Master Plan, per Chapter 4.5
<u>Medical Centers</u>	<u>CU</u>	
<u>Incarceration Facilities</u>	<u>CU</u>	
<u>Park and Ride</u>	<u>CU</u>	

Other Categories		
Accessory Structures (with a permitted use)		See examples of Accessory Structures in Chapter 1.3.
Agriculture – Animals, when		
- existing use as of January 22, 2010	P	
- accessory to a permitted use	P	
- primary use (e.g., meat processing, stockyard, vet, kennel, and similar uses)	CU	
Agriculture – Nurseries and similar horticulture (See also, Wholesale and Retail Uses)	P	
Buildings and Structures Exceeding the Height Limits in Table 2.4.060	CU	Increased height may be permitted without CU with a Master Planned Development.
Mining	N	
Radio Frequency Transmission Wireless Communication Facilities, Wind Turbines, and Similar Structures – within height limit of district – exceeds height limit (free-standing or building-mounted facilities)	CU PC U	See also, Chapter 3.5 for Wireless Telecommunication Facilities requirements.
Rail Lines and Utility Corridors, except those existing prior to effective date of Development Code are permitted.	CU	
Temporary Uses (Only uses allowed as “P” and “CU”), per Chapter 4.9.	P/C U	See Chapter 4.9. Unlisted uses require CU permit.
Transportation Facilities (operation, maintenance, preservation, and construction in accordance with applicable standards of the roadway authority) are Permitted; other Transportation Facilities require Conditional Use Permit and are subject to review and approval by the applicable road authority.		
Non-Conforming Uses. Uses and structures lawfully established prior to <i>[effective date of code]</i> may continue pursuant to Chapter 5.2 Non-Conforming Situations. Upon annexation or rezoning, uses shall conform to the current code requirements for the zone in which they are located.		
Uses Subject to Preemptive State or Federal Law are allowed pursuant to applicable laws		

Key:

P = Permitted, subject to site/development review S = Permitted with standards (See cross-reference) CU = CU permit required (Chapter 4.4) N = Not permitted

2.4.070 Industrial District - Special Use Standards

This section provides standards for the land uses and building types identified as Special Uses in Table 2.4.020 (uses denoted with an 'S'). These uses are intended to control the scale and compatibility of those uses within the Industrial District. The standards in this section are in addition to and do not replace the general development standards for industrial districts.

2.4.070.A Self Storage

1. Self-service storage uses shall be located on a property at least 850 feet from any other self-service storage use.
2. Self-service storage uses shall be located on a property at least 150 feet from any collector or arterial road.
3. Self-service storage uses shall be located on a property no greater than five acres in area.
4. Self-service storage is permitted only within multi-story structures, except as permitted in subsection 10, below for outdoor storage. Floor area of each floor above the ground floor must be at least 40% of the ground floor footprint.
5. Self-storage units shall gain access from the interior of the building(s) or site.
6. At least forty feet of clear, unobstructed driveway length will be provided from the road to the primary access gate or principal entry point of the facility, and any interior drive aisles shall be at least 20 feet wide.
7. Self-storage units shall not be used for:
 - A. Heavy manufacturing, fabrication, or processing of goods, service or repair of vehicles, engines, appliances or other electrical equipment, or any other heavy industrial activity.
 - B. Conducting garage or estate sales. This does not preclude auctions or sales for the disposition of abandoned or unclaimed property.
 - C. Storage of flammable, perishable or hazardous materials.
 - D. The raising or keeping of animals.
 - E. Sleeping, habitation, or residential dwelling purposes.
8. The exterior wall of each floor above the ground floor of a self-storage facility building that is facing a street shall at a minimum be comprised of 15% transparent glass.
9. At least 75% of the width of any new or reconstructed first-story building wall facing a collector or arterial street shall be devoted to interest-creating features, such as pedestrian entrances, reliefs, murals, landscaping, transparent show or display windows, or windows affording views into retail, office, or lobby space.
10. All goods and property stored at a self-storage facility shall be stored in an enclosed building. Outdoor storage of boats, RVs, vehicles, trailers, or storage in outdoor storage pods or shipping containers is permitted as follows:
 - A. Storage area must be covered with a permanent structure.
 - B. Storage area must be on a concrete or asphalt or other hard surface.
 - C. Storage area must be screened by a sight-obscuring fence, wall, or building
11. Recognition of Existing Facilities. Notwithstanding Chapter 5.2, existing self-service storage facilities as of the date of adoption of this ordinance are permitted to expand, consistent with Section 3 above. The expansion shall be consistent with and meet all applicable standards of the zoning district as well as this section.

RENUMBER

2.4.150 Industrial District - Building And Structure Height

2.4.~~150~~060 Industrial District - Building And Structure Height

2.8.020 Applicability

This chapter applies to riparian corridors, including associated wetlands, as mapped on the City Zoning Map, based on Oregon Department of Fish & Wildlife maps of “fish-bearing streams” as defined in OAR Chapter 660, Division 23, [or as mapped in the National Wetland Inventory](#), ~~or~~ **and** wetlands identified on the local wetland inventory.

2.10.030 Historic ~~Landmark Advisory~~ Preservation Commission

The City of Dallas Historic ~~Landmark Advisory~~ Preservation Commission is hereby established as an advisory body to the Planning Commission with the following provisions:

- A. The City Manager shall appoint a Historic Preservation Officer to serve as staff to the Historic ~~Landmark Advisory~~ Preservation Commission and to carry out the administrative provisions of this Chapter.
- B. The Mayor, subject to City Council approval, shall appoint a Historic ~~Landmark Advisory~~ Preservation Commission, hereinafter referred to as the "~~Landmark~~ Preservation Commission," of ~~three (3)~~ five members with a demonstrated competence, knowledge, or interest in historic preservation with preference given to those with professional experience in the fields of preservation, architecture, archaeology, community history, building trades, real estate, or related specialties. ~~Two (2) of the three (3)~~ Three of the five members must reside inside the Dallas Urban Growth Boundary. Members shall serve without compensation, but are eligible for reimbursement of expenses related to their service. Member will serve a four year term, but are not limited in the numbers of terms they may serve.
- C. The ~~Landmark~~ Preservation Commission shall meet at least four ~~(4)~~ times a year, and as required to conduct business in a timely fashion. Notice of the meetings shall be in accordance with applicable state law. Meeting minutes; applications for exterior remodeling, alteration or demolition; Landmark nominations; records of designation; staff reports; and decisions of the Commission shall be created and maintained as public records in accordance with applicable local and state laws.
- D. A majority of the ~~Landmark~~ Preservation Commission shall constitute a quorum for a meeting. The vote of a majority of a quorum present at any meeting shall be required to decide any matter before the Commission.

2.10.040 ~~Landmark~~ Historic Preservation Commission Duties

The ~~Landmark~~ Preservation Commission shall have the following duties:

- A. Employing the procedures and criteria in Section 2.10.050, the Preservation Commission shall create and maintain a Historic Resource Survey consistent with the standards of the Oregon State Historic Preservation Office, hereinafter referred to as "SHPO."
- B. Employing the procedures and criteria in Section 2.10.060, the ~~Landmark~~ Preservation Commission shall recommend that the Planning Commission designate qualifying historic resources to the Local Landmark Register.
- C. Employing the procedures and criteria in Section 2.10.070, the ~~Landmark~~ Preservation Commission shall review and ~~make decisions on applications for the alteration, relocation, or demolition of Landmarks;~~ act upon applications for the preservation, rehabilitation, reconstruction, alteration, relocation, or demolition of Significant Historic Resources, and new construction within the designated boundary of a Significant Historic Resource as described in this regulation.
- D. The ~~Landmark~~ Preservation Commission shall support the enforcement of all ~~state laws relating to historic preservation~~ federal and state laws relating to the protection of National Register Resources, Archaeological Sites, and Archaeological Objects regardless if they are designated to the Resource List.
- E. The ~~Landmark~~ Preservation Commission may undertake to inform the residents of, and visitors to the City of Dallas, regarding the community's history and prehistory; promote research into its history and prehistory; collect and make available materials on the preservation of Landmarks; provide information on state and federal preservation programs; and document Landmarks prior to their alteration, demolition, or relocation and archive that documentation.
- F. For purposes consistent with this Ordinance the ~~Landmark~~ Preservation Commission may recommend to the City Council, that the City seek, accept, and expend grant and gift funds; cooperate with public and private entities; and assist the owners of Landmarks in securing funding for the preservation of their properties.
- G. Upon request, the ~~Landmark~~ Preservation Commission may advise the City Council or Planning Commission on local, state, or federal issues, laws, and information requests relating to historic preservation.
- H. The ~~Landmark~~ Preservation Commission may adopt and amend rules and procedures to govern its internal operations.
- I. The ~~Landmark~~ Preservation Commission will review and comment on nominations to the National Register of Historic Places. The review process will include opportunity for public notification and comment.
- J. The Preservation Commission may adopt and publish written and graphic guidelines and example materials to clarify the standards in this regulation and to assist applicants in developing complete and viable applications to preserve, rehabilitate, reconstruct, alter, relocate and demolish a Significant Historic Resource, and or erect new construction within the designated boundary of a Significant Historic Resource.
- K. The Preservation Commission shall inform the citizens of, and visitors to the City of Dallas, regarding the community's history and prehistory; promote research into its history and prehistory; collect and make available materials on the preservation of historic resources provide information on state and federal preservation programs and incentives; and document historic resources prior to their alteration, demolition, or relocation and archive that documentation.
- L. The Preservation Commission may recommend to the City Council to seek, accept, and expend public appropriations; seek, accept, and expend grant and gift funds; cooperate with public and private entities; and assist the owners of Significant Historic Resources in securing funding for the preservation of their properties.
- M. The Preservation Commission may recommend incentives and code amendments to the Planning Commission to promote historic preservation in the community.
- N. The Preservation Commission may comment on local, state, or federal issues, laws, and requests relating to historic preservation.

3.1.030 Pedestrian Access And Circulation

A. **Site Layout and Design.** To provide safe, direct, and convenient pedestrian circulation, all developments, except single-family and duplex dwellings shall provide a continuous pedestrian system within the development site that connects to the public right-of-way, regardless of whether a public sidewalk currently exists. The pedestrian system shall be based on the standards in subsections 1-4, below:

1. Continuous Walkway System. The pedestrian walkway system shall extend throughout the development site and connect to all future phases of development, if any, and to existing or planned off-site adjacent walkways and trails, public parks, and open space areas ~~to the greatest extent practicable~~. The developer ~~may~~ shall also be required to connect or stub walkway(s) to adjacent streets and to private property ~~with where there is~~ a previously reserved public access easement for this purpose, in accordance with the provisions of Section 3.1.020, Vehicular Access and Circulation, and Section 3.4.010, Transportation Standards.
2. Safe, Direct, and Convenient. Walkways within developments shall provide safe, reasonably direct, and convenient connections between primary building entrances and all adjacent streets, based on the following definitions:
 - a. ~~Reasonably d~~ Direct. A route that does not deviate unnecessarily from a straight line or a route that does not involve a significant amount of out-of-direction travel for ~~likely~~ users.
 - b. Safe and convenient. Routes that provide a smooth and consistent surface not exceeding a slope of 1:12, which are illuminated and ~~reasonably~~ free from tripping hazards, standing water, and low-hanging obstacles and ~~provide a reasonably forming a~~ direct route of travel between destinations.
 - c. "Primary entrance" is the main public entrance to the building. In the case where no public entrance exists, street connections shall be provided to the main employee entrance, as applicable.
3. Connections Within Development. Connections within developments shall be provided as required in subsections a-c, below:
 - a. Walkways shall connect all building entrances to one another ~~to the extent practicable~~, as generally shown in Figure 3.1.030A(1);
 - b. Walkways shall connect all on-site parking areas, storage areas, recreational facilities and common areas, and shall connect off-site adjacent uses ~~to the site to the extent practicable~~. ~~Topographic or existing development constraints may be cause for not making certain walkway connections~~, as generally shown in Figure 3.1.030A(1). A walkway connection shall not be required across slopes exceeding 50% or wetlands and natural drainage ways wider than 40 feet, if the cost of ramps, stairs, boardwalks or bridges would exceed one half of one percent (0.5%) of the project cost;
~~;~~ and
 - c. Parking areas containing twenty four (24) or more parking spaces shall be broken up so that parking bays do not exceed twelve (12) contiguous parking spaces without a break. Parking areas may be broken up with landscape areas (per subsection 3.2.030.E), handicap-accessible walkways, plazas, streets, or driveways with street-like features. Street-like features, for the purpose of this section, means a raised sidewalk that is at least ~~four (4) feet wide for residential projects and at least~~ six (6) feet wide ~~in all other projects~~, with 6-inch raised curbs, accessible curb ramps, street trees in planter strips or tree wells, and pedestrian-oriented lighting. See also, "shopping street" provisions in Section 2.2.060.D.

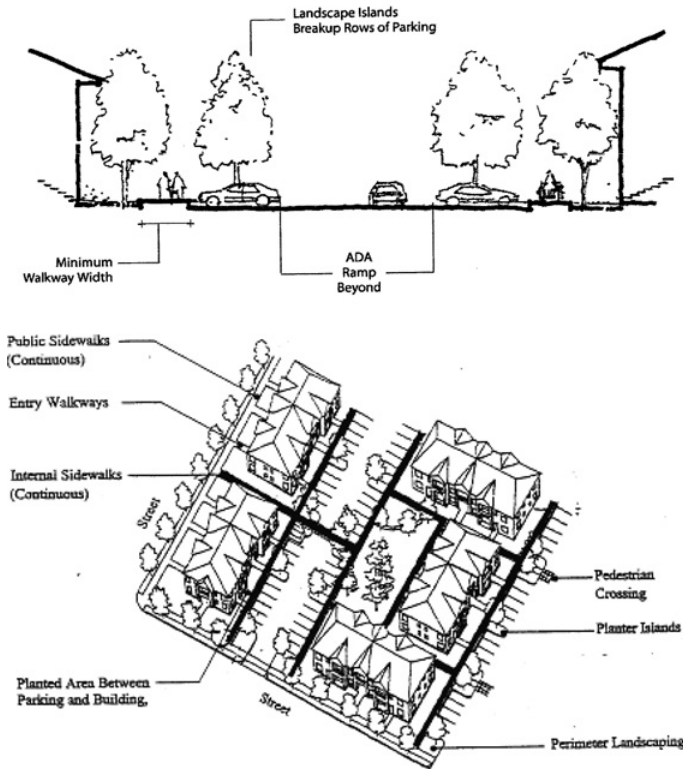
Staff Comment:
Provides clearer and more objective standards

Staff Comment:
Unifies inconsistent code standards

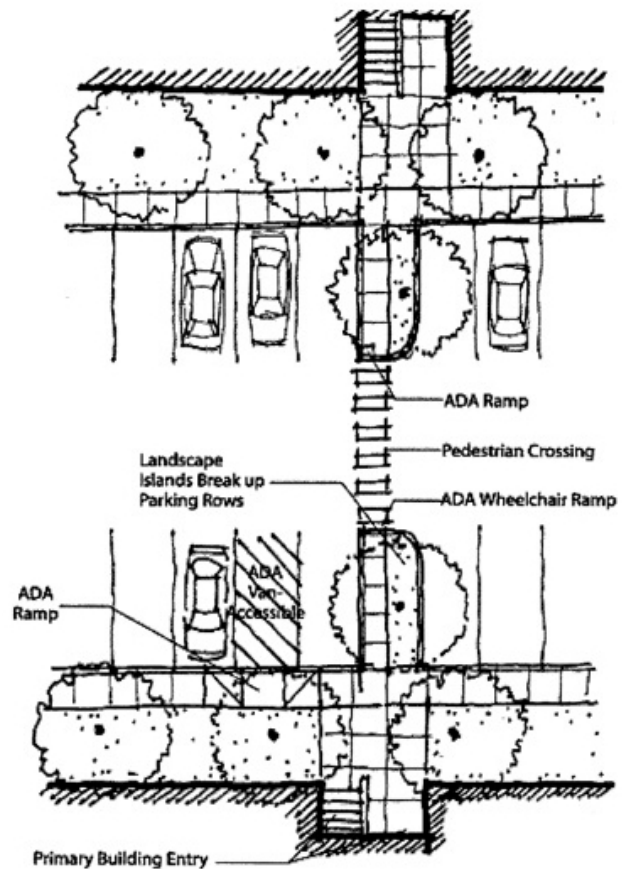
B. Walkway Design and Construction. Walkways, including those provided with access ways through a block, shall conform to all of the standards in subsections 1-4, below, as generally illustrated in Figure 3.1.030B:

1. **Vehicle/Walkway Separation.** Except for crosswalks (subsection 2), where a walkway abuts a driveway or street, it shall be raised 6 inches and curbed along the edge of the driveway/street. Alternatively, the decision body may approve a walkway abutting a driveway at the same grade as the driveway if the walkway is protected from all vehicle maneuvering areas. An example of such protection is a row of decorative metal or masonry bollards designed to withstand a vehicle’s impact, with adequate minimum spacing between them to protect pedestrians.
2. **Crosswalks.** Where a walkway crosses a parking area, driveway, or street (“crosswalk”), it shall be clearly marked with contrasting paving materials (*e.g.*, light-color concrete or pavers inlayed between asphalt), which may be part of a raised/hump crossing area. The reviewing body may approve painted or thermo-plastic striping and similar types of non-permanent applications may be approved for crosswalks not exceeding 24 feet in length.
3. **Width and Surface.** Walkway and accessway surfaces shall be concrete, asphalt, brick/masonry pavers, or other durable surface, as approved by the City Engineer, at least **four (4) feet wide in residential projects and at least six (6) feet wide in all other projects.** Multi-use paths (*i.e.*, for bicycles and pedestrians) shall be concrete or asphalt, at least **ten (10) feet wide**, or as required by the roadway authority or park district, as applicable.
4. **Accessible routes.** Walkways shall comply with applicable Americans with Disabilities Act (ADA) requirements. The ends of all raised walkways, where the walkway intersects a driveway or street shall provide ramps that are ADA accessible, and walkways shall provide direct routes to primary building entrances.

**Figure 3.1.030A(1)
Pedestrian Pathway System (Typical)**



**Figure 3.1.030B
Pedestrian Walkway Detail (Typical)**



3.4.015 Transportation Standards

A. **Development Standards and Criteria.** The following standards are implement the City of Dallas Transportation System Plan of October 2009 as amended. Projects shall be required to meet the current standards in effect at the time an application is filed.

1. **Adequate Public Facilities.** No development shall be approved unless adequate transportation facilities are available or where it is demonstrated how improvements can and will be constructed and operational concurrent with the proposed development, as required by this Code If existing improvements leading to or serving the site are inadequate to handle anticipated loads, improvements are to be constructed and operational prior to the issuance of building permits or in conjunction with construction of the approved lots or parcels pursuant to financial assurance for the improvements or a written agreement with the City prior to final plat approval. All street links or intersections serving the proposed development shall meet the traffic operations standards over a 10-year horizon, as follows:

Table 3.4.010A Traffic Operations Performance Standards within Dallas

Facility Type	Speed Limit	Maximum Volume/Capacity Ratio
OR 223; within STA or CBD zone		0.95*
OR 223; outside STA	Less than 45 MPH	0.85*
OR 223; outside STA	45 MPH or greater	0.80*
City Streets	Less than 45 MPH	0.85
City Streets	45 MPH or greater	0.80

* Note: Maximum Volume/Capacity Ratios for OR 223 per the current Oregon Highway Plan, Table 6.

2. **Amendments Significantly Affecting Transportation Facilities.** Amendments to the Comprehensive Plan, or a land use regulation of the Development Code, or a Land Use District (zoning map designation) that significantly affect an existing or planned transportation facility shall assure that allowed land uses are consistent with the function, capacity and performance standards of the facility identified in the Transportation System Plan and shall demonstrate compliance with the Transportation Planning Rule (TPR) under Oregon Administrative Rule 660-012-0060
3. **Street Improvements.** Streets within and adjacent to a development shall be improved in accordance with [Map 7-1 of the City of Dallas Transportation System Plan](#) and [with the provisions of this Chapter](#). Development of new streets, including sidewalks, curbs, gutters, bicycle lanes, vehicle travel lanes, traffic control devices, and park strips, and additional right-of-way or street width or improvements planned as a portion of an existing street, shall be improved in accordance with this Chapter; and all public streets shall be dedicated to the applicable road authority upon the City Engineer’s acceptance of said improvements;
4. **Access Improvements.** All new streets, and driveways connecting to streets, shall be paved; driveways and driveway aprons shall be improved as required under Section 3.4.030 and subject to approval by the City Engineer.

- C. **Creation of Rights-of-Way for Streets and Related Purposes.** Streets shall be created through the approval and recording of a final subdivision or partition plat; except the City may approve the creation of a street by acceptance of a deed, provided that the street is deemed in the public interest by the City Council for the purpose of implementing the Dallas Transportation System Plan, and the deeded right-of-way and improvements conform to the standards of this Code.
- D. **Creation of Access Easements.** The City may approve an access easement connecting to a public street only when the easement is necessary to provide for access and circulation in conformance with Chapter 3.1, Access and Circulation. Access easements shall be created and maintained in accordance with the Oregon Fire Code Section 10.207.
- E. **Street Location, Width, and Grade.** Except as noted below, the location, width and grade of all streets shall conform to the Transportation System Plan, or an approved street plan or subdivision plat. Street location, width, and grade shall be determined in relation to existing and planned streets, topographic conditions, public convenience and safety, and in appropriate relation to the proposed use of the land to be served by such streets. Where the location of a street is not shown on an adopted City street plan, the location of streets in a development shall provide for the reasonable continuation and connection of existing streets to adjacent developable properties, conforming to the street standards of this Chapter.
- F. **Minimum Rights-of-Way and Street Sections.** Street rights-of-way and improvements shall be the widths in Table ~~3.4.015.3.4.010~~ 3.4.015.F. Variances to street design standards are subject to review ~~and approval~~ by the City Engineer. Where a range of width is indicated, the width shall be the preferred improvement in the range unless unique and specific conditions exist as determined ~~by the City Engineer based upon~~ through the variance process of Chapter 5.1, upon consideration of the following factors:
1. Transportation policies of the Transportation System Plan;
 2. Anticipated traffic generation;
 3. On-street parking needs;
 4. Sidewalk and bikeway requirements, including the extension of and connection to existing sidewalks;
 5. Requirements for placement of utilities;
 6. Street lighting;
 7. Minimize drainage, slope, and sensitive lands impacts;
 8. Street tree location, as provided in Chapter 3.2;
 9. Protection of significant vegetation, as provided in Chapter 3.2;
 10. Safety, comfort, and convenience of motorists, bicyclists, and pedestrians;
 11. Placement of street furnishings (e.g., benches, lighting, bus shelters, etc.), as applicable;
 12. Access needs for emergency vehicles and for emergency evacuation; and
 13. Transition between different street widths (i.e., existing streets and new streets).

Table ~~3.4.015.F: 3.4.010F~~: Minimum Typical Street, Sidewalk and Bikeway Standards

Table ~~3.4.015.F 3.4.010F~~ 3.4.015.F specifies typical street, sidewalk and bikeway right-of-way, paving and design standards. These standards are based on the functional classification of the Dallas Transportation System Plan, Map 7-1. The street right-of-way and improvement standards minimize the amount of pavement and ROW required for each street classification consistent with the operational needs for each facility, including requirements for pedestrians, bicyclists and public utilities.

Table ~~3.4.010F~~: Minimum Typical Street, Sidewalk and Bikeway Standards - Continued

Table 3.4.015.F: Minimum Typical Street, Sidewalk and Bikeway Standards

Facility	ROW	Travel Lanes	Median Types	Bike Lanes	Sidewalks	On-Street Parking	Planting Strip	Speed	Utility Area
Major Arterial									
Criteria	90'-100'	Min. of 2 @ 12'	14' Two-Way Left Turn Lane (TWLTL)	6' both sides	6' both sides	Allowed in CBD	Min. of 4' both	30-45 MPH	0'-15' both sides
Preferred	100'	4 @ 12'	14' Two-Way Left Turn Lane (TWLTL)	6' both sides	6' both	Allowed in CBD	6' both sides	30-45 MPH	1' both sides
Minor Arterial									
Criteria	80-90'	2 @ 12'	14' Two-Way Left Turn Lane (optional)	6' both sides	6' both sides	Allowed in CBD	Min. of 4' both sides	25-45 MPH	3' to 17' both sides
Preferred (2)	80'	2 @ 12'	14' Two-Way Left Turn Lane (TWLTL)	6' both sides	6' both sides	Allowed in CBD	6' both sides	25-45 MPH	3' both sides
Major Collector									
Criteria	70-80'	2 @ 12'	12' to 14' TWLTL (optional but not with parking)	6' both sides(1)	6' both sides	8' both sides (optional but not with TWLTL)	5' both sides	25-40 MPH	0'-5'
Preferred (2)	74'	2 @ 12'	14' Two-Way Left Turn Lane (TWLTL)	6' both sides	6' both sides	None	5' both sides	25-40 MPH	1' both sides
Minor Collector									
Criteria	60'-70'	2 @ 12'	None	5' both sides(1)	5' both sides	8' both sides	Min. of 4' both	20-35 MPH	0'-6' both
Preferred (2)	70'	2 @ 12'	None	5' both sides	5' both sides	8' both sides	4' both sides	20-35 MPH	1' both sides
Local									
Criteria	50-55'	30' travelway	None	None	5' both sides	Allowed	4' both sides	20-35 MPH	2'-6' both sides
Alternative (4)	40'	20' travelway	None	None	5' one side	None; Alley access	4' both sides	20-35 MPH	2'-6' both
Optional (2)	60'	32'-36' travelway	None	None	5' both sides	Allowed	None	20-35 MPH	4'-7' both sides
Cul-de-Sac									
Street	50'	30' travelway	None	None	5' both sides	Allowed	None	20 MPH	5' both sides
Bulb	50' radius	40' radius paved	None	None	5' around	Allowed	None	20 MPH	10' around
Alley									
Residential	16' (3)	1 @ 16'	None	None	None except in Mixed Use Nodes	None	None	20 MPH	None
Commercial	20'	1 @ 20'	None	None	None except in Mixed Use Nodes	None	None	20 MPH	None
Ped/Bike Connections									
Creek Trails	6' to <u>Minimum 10' wide</u> paved multi-use path with landscaping. Includes a <u>minimum of 20'</u> of ROW.								
Ped/Bike Connection									
Mid-Block Accessway	<u>Minimum 6' wide paved multi-use path with landscaping. Includes a minimum of 10' of ROW. (3)</u>								

- (1) Include bike lanes, except as noted in the Transportation System Plan, page 7-15 and Figure 7-9.
- (2) The city may require this street if it is located in a high density residential, industrial, or commercially zoned area, or where the street will carry more than 1500 vehicle trips per day
- (3) The city may require a wider **alley** width where fire apparatus access is determined necessary
- (4) The city may allow this street where no driveways are accessed from the street. Vehicle access must be from alleys or cross streets.

- G. **Subdivision Street Connectivity.** All ~~subdivisions~~ land divisions, including those within Master Planned Developments, shall conform to all the following access and circulation design standards:
1. Connectivity to Abutting Lands. The street system of proposed ~~subdivisions~~ land divisions shall be designed to connect with existing, proposed, and planned streets outside of the ~~subdivision proposed development site~~ as provided in this Section. Wherever a proposed development abuts unplatted land or a future development phase of the same development, street stubs shall be provided to allow access to future abutting ~~subdivisions~~ developments and to logically extend the street system into the surrounding area. All street stubs shall be provided with a temporary turn-around unless specifically exempted by the Fire Marshall, and the restoration and extension of the street shall be the responsibility of any future developer of the abutting land.
 2. When Abutting an Arterial Street. Property access to abutting arterials shall be minimized. Where such access is necessary, shared driveways may be required in conformance with Section 3.1.2. If vehicle access off a secondary street is possible, then the road authority may prohibit access to the arterial.
 3. Continuation of Streets. Planned streets shall connect with surrounding streets, and shall be reasonably direct to permit the convenient movement of traffic between residential neighborhoods, and to facilitate emergency access and evacuation. Connections shall be designed to meet or exceed the standards in subsection 4, below. To avoid or minimize through traffic on local streets, appropriate design and traffic control and traffic calming measures may be required, as provided in subsection H below. Such traffic calming measures are the preferred means of discouraging through traffic, and discontinuous streets as a traffic calming measure shall not be permitted.
 4. Street Connectivity and Formation of Blocks. In order to promote efficient vehicular and pedestrian circulation throughout the city, all ~~subdivisions~~ land divisions, and site developments of more than two (2) acres requiring the extension of public streets, shall be served by a connecting network of public streets and/or accessways, in accordance with the following standards (minimum and maximum distances between two streets or a street and its nearest accessway) Note that street spacing less than the maximum may be required in order to facilitate orderly development of the street system, see also section 3.4.010.I. – Extension of Streets, Sidewalks, and Bikeways:
 - a. Residential Districts, except as otherwise required by an applicable overlay zone or Master Plan (Article 2): Minimum of 100-foot block length and maximum of 600-foot length; maximum 1,400 feet block perimeter measured from the right-of-way edge;
 - b. Central Business District (CBD) Conform to existing platted blocks;
 - c. Commercial General (CG) and Commercial Neighborhood (CN) Districts: Minimum of 100-foot length and maximum of 600 foot length; maximum 1,400 foot perimeter;
 - d. Not applicable to the Parks and Open Space (POS) District or Wetland Riparian (/WR) Overlay.
 - e. Not applicable within Industrial Districts except where required by a Master Plan.

5. Accessway Standards. Where a street connection in conformance with the maximum block length standards in subsection 4 is impracticable, an accessway shall be provided at or near the middle of a block in lieu of the street connection. The City may also require developers to provide an accessway where the creation of a cul-de-sac or dead-end street is unavoidable and the accessway would connect the ends of the street to another street or public access way. Such access ways shall conform to all of the following standards, which may be modified by the decision body without a variance when the modification affords greater convenience or comfort for, and does not compromise the safety of, pedestrians or bicyclists:
- a. Accessways shall be no less than ten (10) feet wide and contain a minimum six (6) foot wide paved walkway surface within a right-of-way or easement allowing public access; where emergency vehicle access is required, the access way shall be no less than twenty (20) feet wide and contain an all-weather driving surface with the required weight-bearing capacity;
 - b. If the streets within the subdivision or neighborhood are illuminated, all access ways in the subdivision shall be lighted. Accessway lighting shall provide at least 2-foot candle of illumination of the walkway surface;
 - c. A right-of-way or public access easement provided in accordance with subsection b that is less than ten (10) feet wide may be allowed on steep slopes where the decision body finds that stairs, ramps, or switch-back paths are required;
 - d. All public walkways shall conform to applicable ADA requirements (exception allowed for hillsides); and
 - e. The City may require landscaping as part of the required accessway improvement to buffer pedestrians from adjacent vehicles, or to screen the accessway for the privacy of adjoining residents.

H. Traffic Signals and Traffic Calming Features.

1. Traffic signals shall be required with development when traffic signal warrants are met, in conformance with the Federal Highway Administration approved guidelines, including but not limited to: Highway Capacity Manual and Manual of Uniform Traffic Control Devices. The location of traffic signals shall be noted on approved street plans. Where a proposed street intersection will result in an immediate need for a traffic signal, a signal meeting approved specifications shall be installed in conformance with the road authority's requirements. The developer's cost and the timing of improvements shall be included as a condition of development approval.
2. When an intersection meets or is projected to meet traffic signal warrants, the City may accept alternative mitigation, such as a traffic roundabout, in lieu of a traffic signal, if approved by the City Engineer and applicable road authority.
3. The City may require the installation of traffic calming features such as traffic circles, curb extensions, reduced street width (parking on one side), medians with pedestrian crossing refuges, and/or special paving surfaces to slow traffic in neighborhoods or commercial areas with high pedestrian traffic.

I. Extension of Streets, Sidewalks, and Bikeways.

1. Where a ~~subdivision~~ land division is proposed adjacent to other developable land, a future street plan shall be filed by the applicant in conjunction with an application for a ~~subdivision~~ land division in order to facilitate orderly

development of the street system. The plan shall show the pattern of existing and proposed future streets from the boundaries of the proposed land division and shall include other divisible parcels within 600 feet surrounding and adjacent to the proposed subdivision. The street plan is not binding; rather it is intended to show potential future street extensions with future development and ensure that the proposed development does not preclude future street connections to adjacent development land.

2. Streets shall be extended to the boundary lines of the parcel or tract to be developed when the City determines that the extension is necessary to give street access to, or permit a satisfactory future division of, adjoining land. The point where the streets temporarily end shall conform to a-i, below:
 - a. These extended streets or street stubs to adjoining properties are not considered to be cul-de-sacs since they are intended to continue as through streets when the adjoining property is developed.
 - b. A barricade (e.g., fence, bollards, boulders or similar vehicle barrier) shall be constructed at the end of the street by the subdivider and shall not be removed until authorized by the City or other applicable agency with jurisdiction over the street. The cost of the barricade shall be included in the street construction cost.
 - c. Temporary street ends shall provide turnarounds constructed to Oregon Fire Code standards for streets over 150 feet in length. See also, Section 3.1.020.I
 - d. Wheelchair ramps and other facilities shall be provided as required by the Americans with Disabilities Act (ADA). The lower lip of the wheelchair ramp shall be flush with the roadway surface.
 - e. Mailboxes and utility cabinets shall not infringe on public sidewalks or access ways.
 - f. Bikeways shall be designed and constructed consistent with the design standards in the "Oregon Bicycle and Pedestrian Plan: Design Standards and Guidelines," and AASHTO's "Guide for the Development of Bicycle Facilities," as applicable.
 - g. Temporary dead-end streets (not cul de sacs) that may be extended in the future shall have a right-of-way and pavement width that will conform to City standards when extended, and shall be posted as streets to be extended in the future.
 - h. Where topographical requirement necessitate either cuts or fills for proper grading of the streets, additional easements or rights of way shall be required to allow all cut and fill slopes to be within the easements or right-of-way. The Director of Public Works shall determine the required extra width.

J. Street Alignment, Radii, and Connections.

1. The creation of new streets making "T" intersections at collectors and arterials shall provide for intersection spacing of not less than 300 feet, as measured from the centerlines of the offset streets.
2. Spacing between local street intersections shall have a minimum separation of 125 feet, except where the City Engineer approves closer spacing due to topographic constraints or as necessary to provide a traffic calming feature, such as an open space, roundabout, or similar amenity. This standard applies to four-way and three-way (off-set) intersections.
3. All local and collector streets that stub into a development site shall be extended within the site to provide through circulation unless prevented by environmental or topographical constraints, existing development patterns, or compliance with other standards in this code. This exception applies when it is not possible to redesign or reconfigure the street pattern to provide required

extensions. Land is considered topographically constrained if it falls within the Geological Hazards Overlay or it contains a stream or other natural drainageway. In the case of environmental or topographical constraints, the mere presence of a constraint is not sufficient to show that a street connection is not possible. The applicant must show why the environmental or topographic constraint precludes some reasonable street connection.

4. Proposed streets or street extensions shall be located to allow continuity in street alignments and to facilitate future development of vacant or redevelopable lands.
5. In order to promote efficient vehicular and pedestrian circulation throughout the city, the design of subdivisions and alignment of new streets shall conform to block length standards in Section 3.1.020.

K. **Sidewalks, Planter Strips, Bicycle Lanes.** As provided under Section [3.4.015.D](#), ~~3.4.010D~~, the City may require the improvement and/or extension of sidewalks, planter strips, and bicycle lanes with new Major Projects, in conformance with the standards in Table [3.4.015](#), ~~3.4.010~~, pursuant to [Map 7-9](#) of the City of Dallas Transportation System Plan and/or the requirements of any other applicable roadway authority. Maintenance of sidewalks and planter strips in the right-of-way is the continuing obligation of the adjacent property owner.

- L. **Intersection Angles.** Streets shall be laid out so as to intersect at an angle as near to a right angle as practicable, except where the City Engineer approves closer spacing due to topographic constraints or as necessary to provide a traffic calming feature, such as an open space, roundabout, or similar amenity.
- M. **Existing Rights-of-Way.** Whenever existing rights-of-way adjacent to a proposed development are less than standard width, additional rights-of-way shall be provided at the time of subdivision or development, subject to the provisions of Section [3.4.015](#), ~~3.4.010~~.
- N. **Cul-de-sacs.** Streets shall be planned to continue to and through abutting properties, consistent with the connectivity standards in Section [3.4.015.G](#), ~~3.4.00G~~. A cul-de-sac street shall only be used when environmental or topographical constraints, existing development patterns, or compliance with other standards in this code preclude street extension and through circulation. For example, the City Engineer may approve a cul-de-sac where a street extension would otherwise exceed allowable street grades or negatively impact a natural drainageway or jurisdictional wetland. When cul-de-sacs are allowed, all of the following shall be met:
1. The cul-de-sac shall not exceed a length of 600 feet; the length of the cul-de-sac shall be measured along the centerline of the roadway from the near side of the intersecting street to the farthest point of the cul-de-sac;
 2. The cul-de-sac shall terminate with a circular or hammer-head turnaround meeting the Oregon Fire Code. Circular turnarounds shall have a radius of no less than 40 feet, and not more than a radius of 45 feet (i.e., from center to edge of pavement); except that turnarounds shall be larger when they contain a landscaped island or parking bay at their center. When an island or parking bay is provided, there shall be a fire apparatus lane of 20 feet in width; and

3. The cul-de-sac shall provide, or not preclude the opportunity to later install, a pedestrian and bicycle accessway connection between it an adjacent streets access ways, parks, or other right-of-way. Such accessways shall conform to Section 3.1.040.

O. Grades and Curves.

1. Grades. Street grades shall not exceed the following:

Arterials: 10%
 Collectors: 12%
 Other streets: 12%

2. Landings. Streets intersecting with a minor collector or greater functional classification street, or streets intended to be posted with a stop sign or signalization, shall provide a landing averaging five percent or less. Landings are that portion of the street within 20 feet of the edge of the intersecting street at full improvement.

3. Curves. Centerline curve radii shall not be less than the following:

Arterials: 700 feet
 Major collectors: 500 feet
 Minor collectors: 350 feet
 Other streets: 100 feet

4. Exceptions. The City Engineer may approve steeper grades for short street segments, provided the street grade does not exceed 15% for a distance greater than 250 feet. The City Engineer may approve sharper curves where existing development patterns or environmental constraints preclude the stated radius, upon finding that:
 - a. It is not feasible to realign the improved street within the right-of-way; and
 - b. The proposed curve is not less than 50% of the stated radius; and
 - c. That adequate speed control measures are implemented.

- P. Curbs, Curb Cuts, Ramps, and Driveway Approaches.** Concrete curbs, curb cuts, wheelchair ramps, bicycle ramps, and driveway approaches shall be constructed in accordance with standards specified in Chapter 3.1, Access and Circulation.

- Q. Streets Adjacent to Railroad Right-of-Way.** When a transportation improvement is proposed within 300 feet of a public railroad crossing, or a modification is proposed to an existing public crossing, the Oregon Department of Transportation and the rail service provider shall be notified and given an opportunity to comment, in conformance with the provisions of Article 4. Private crossing improvements are subject to review and licensing by the rail service provider.

- R. Development Adjoining Arterial Streets.** Where a development adjoins or is crossed by an existing or proposed arterial street, the development design shall separate residential access from through traffic and minimize traffic conflicts. (See also, the access requirements under Section 3.1.020.) The development design shall include one or more of the following, as required by the City based on multimodal safety, compatibility between the roadway and adjacent residential uses, maintenance and aesthetic considerations:

1. A parallel access street (frontage road) along the arterial with a landscape median with raised curbs of not less than ten (10) feet in width separating the two streets;
2. Deep lots (120 feet or greater) abutting the arterial or major collector to provide adequate arterial buffering with access taken from the subordinate street;
3. Screen planting within a non-access reservation (e.g., public easement or tract)

of not less than five (5) feet in width at the rear or side property line along the arterial; or

4. Other treatment approved by the City Engineer that is consistent with the purpose of this Chapter;
- S. **Alleys, Public or Private.** Alleys shall conform to the standards in Table [3.4.015](#). ~~3.4.010~~. Alley intersections and sharp changes in alignment shall be avoided. The corners of necessary alley intersections shall have a radius of not less than 12 feet and allow access to utilities, as applicable.
- T. **Private Streets and Gated Streets.** Private streets, including gated drives serving more than two (2) dwellings (i.e., where a gate limits access to a development from a public street), are not permitted.
- U. **Street Names.** No new street name shall be used which will duplicate or be confused with the names of existing streets in Dallas or vicinity. Street names, signs, and numbers shall conform to the provisions of Dallas City Code 8.000 to 8.045.
- V. **Survey Monuments.** Upon completion of a street improvement and prior to acceptance by the City, it shall be the responsibility of the developer's registered professional land surveyor to provide certification to the City that all boundary and interior monuments have been reestablished and protected.
- W. **Street Signs.** The city, county, or state with jurisdiction shall install all signs for traffic control and street names. The cost of signs required for new development shall be the responsibility of the developer. Street name signs shall be installed at all street intersections. Stop signs and other signs may be required.
- X. **Mail Boxes.** Mail box locations shall be as approved by the United States Postal Service.
- Y. **Street Light Standards.** Street lights shall be installed in accordance with City standards. At a minimum street lights shall be installed at street intersections; additional street lights or lighting of pedestrian access ways may be required by the City to provide for public safety and welfare.
- Z. **Street Cross-Sections.** The final lift of asphalt or concrete pavement shall be placed on all new constructed public roadways prior to final City acceptance of the roadway unless otherwise approved by the City Engineer. The final lift shall also be placed no later than one (1) year from the commencement of initial construction of the development.

3.4.020 Public Use Areas

A. Dedication of Public Use Areas.

1. Where a proposed open space, park, playground, or other public use shown in a plan adopted by the City is located in whole or in part in a subdivision, the City ~~shall~~ may require the public dedication or reservation of this area on the final plat for the subdivision, ~~provided that the impact of the development on the City park system is roughly proportionate to the dedication or reservation being made.~~
2. The City may purchase or accept voluntary dedication or reservation of areas within the subdivision that are suitable for the development of parks and other public uses; however, the City is under no obligation to accept such areas offered for dedication or sale.
3. Alternatively, the City may impose conditions of approval providing for reservation and ongoing ownership, improvement and maintenance of open space areas (e.g., through Master Plan Development approvals under Chapter 4.5), including payment of property taxes for said property, by a private entity such as a homeowners association.
4. Public use areas to be dedicated or reserved are identified in the following plans:
 - a. Dallas Comprehensive Plan (Map 1)
 - b. Dallas Parks Master Plan (Map 7-1)
 - c. Dallas Transportation System Plan (Map 7-9)
 - d. Concept master plans adopted under Chapter 4.5 for a mixed use node overlay zone designated on the city zoning map.
5. Dedications under this section will qualify toward satisfaction of the open space requirement of Section 2.2.030.F.

- B. System Development Charge Credit.** Dedication of land to the City for public use areas, voluntary or otherwise, may be eligible as a credit toward required system development charges for parks pursuant to Dallas City Code Sections 4.620 through 4.655.

3.6.066 Signs Allowed Prior To Election

Temporary signs advocating for or against a candidate or measure on a national, state or local election ballot are permitted on private property outside of required sign setback and vision clearance areas. These signs may be erected 60 days prior to an election and must be removed 7 days after an election. Such signs shall not exceed three square feet in height or six square feet in area.

4.3.020 General Requirements

- A. **Subdivision and Partition Approval Through Two-step Process.** Applications for subdivision or partition approval shall be processed by means of a preliminary plat evaluation and a final plat evaluation, according to the following two steps:
1. The preliminary plat must be approved before the final plat can be submitted for approval consideration; and
 2. The final plat must include all conditions of approval of the preliminary plat.
- B. **Compliance With Oregon Revised Statutes (ORS) Chapter 92.** All subdivision and partition proposals shall conform to state regulations in Oregon Revised Statute (ORS) Chapter 92, Subdivisions and Partitions.
- C. **Future Re-division Plan.** When subdividing or partitioning tracts into large lots (i.e., greater than two times or 200 percent the minimum lot size allowed by the underlying land use district), the City shall require that the lots be of such size, shape, and orientation as to facilitate future re-division in accordance with the requirements of the land use district and this Code. A re-division plan shall be submitted for large lots identifying:
1. Potential future lot division(s), consistent with the density and minimum lot size standards of Article 2;
 2. Potential street right-of-way alignments to serve future development of the property and connect to adjacent properties, including existing or planned rights-of-way;
 3. A disclaimer that the plan is a conceptual plan intended to show potential future development. It shall not be binding on the City or property owners, except as may be required through conditions of land division approval. For example, dedication and improvement of rights-of-way within the future plan area may be required to provide needed secondary access and circulation.
- D. **Lot Size Averaging.** The size of any lot intended for Single Family House or Duplex may be averaged to allow lots less than the minimum lot size in Residential districts, pursuant to Section 2.2.030, or through approval of a Master Planned Development under Chapter 4.5.
- E. **Temporary Sales Office.** A temporary sales office in conjunction with a subdivision may be approved as set forth in Section 4.9.010, Temporary Uses.
- F. **Minimize Flood Damage.** All subdivisions and partitions shall be designed based on the need to minimize the risk of flood damage. No new building lots shall be created entirely within a floodway. All new lots shall be buildable without requiring development within the floodway and, where possible, allow building outside of the flood fringe. Development in a 100-year flood plain shall comply with the National Flood Insurance Program, State building code requirements, including elevating structures above the base flood elevation, and the City of Dallas Flood Plain Ordinance. The applicant shall be responsible for obtaining floodplain development permit from the NFIP and local jurisdiction.
- G. **Determination of Base Flood Elevation.** Where a development site consists of five (5) or more acres or 50 or more lots, and is located in or near areas prone to inundation for which the base flood elevation has not been mapped, the applicant shall have the base flood elevation it shall be prepared by a qualified professional as part of the land division application.
- H. **Need for Adequate Utilities.** All lots created through land division shall have adequate public utilities and facilities such as sewer, gas, electrical, and water systems. These systems shall be located and constructed to prevent or minimize flood damage, and to avoid impairment of the system and contamination from them during flooding.
- I. **Need for Adequate Drainage.** All subdivision and partition proposals shall have adequate surface water drainage facilities that reduce exposure to flood damage and improve water quality. Water quality or quantity control improvements may be required.

J. Floodplain, Park, and Open Space Dedications. ~~Where land filling and/or development is allowed within or adjacent to regulatory flood plain and the Comprehensive Plan designates the subject flood plain for park, open space, or trail use, the City may require the dedication of sufficient open land area for a greenway and/or trail adjoining or within the flood plain for transportation, storm drainage/water quality, or park purposes in the public interest. When practicable, this area shall include portions at a suitable elevation for the construction of a multi-use pathway in accordance with the City's adopted trails plan or pedestrian and bikeway plans, as applicable. The City shall evaluate individual development proposals and determine whether the dedication of land is justified based on the development's impact to the park and/or trail system, or as may be required for stormwater management.~~ Where land filling and/or development is allowed within or adjacent to a regulatory flood plain, riparian corridor, or other area identified for park, open space, or bicycle/pedestrian trail use in an adopted plan as listed in Section 3.4.020.A.4, then the City shall require public dedication or reservation of open land area for a greenway and/or trail. This dedicated or reserved area shall extend at least 20 feet upland from the delineated top of bank.

4.4.040 Conditional Use Permits - Criteria, Standards And Conditions Of Approval

The City shall approve, approve with conditions, or deny an application for a conditional use or to enlarge or alter a conditional use based on findings of fact with respect to each of the standards and criteria in A-C.

A. Use Criteria.

1. The site size, dimensions, location, topography and access are adequate for the needs of the proposed use, considering the proposed building mass, parking, traffic, noise, vibration, exhaust/emissions, light, glare, erosion, odor, dust, visibility, safety, and aesthetics; **considerations;**
2. The negative impacts of the proposed use on adjacent properties and on the public can be mitigated through application of other Code standards, or other reasonable conditions of approval; and
3. All required public facilities have adequate capacity to serve the proposal.

B. Site Design Standards. The Site Design Review approval criteria (Section 4.2.060) shall be met. The Planning Official may waive the application requirements for Site Design Review upon determining that the Conditional Use Permit application provides sufficient information to evaluate the proposal.

C. Conditions of Approval. The City may impose conditions that are found necessary to ensure that the use is compatible with other uses in the vicinity, and that the negative impact of the proposed use on the surrounding uses and public facilities is minimized. These conditions include, but are not limited to, the following:

1. Limiting the hours, days, place and/or manner of operation;
2. Requiring site or architectural design features which minimize environmental impacts such as noise, vibration, exhaust/emissions, light, glare, erosion, odor and/or dust;
3. Requiring larger setback areas, lot area, and/or lot depth or width;
4. Limiting the building or structure height, size or lot coverage, and/or location on the site;
5. Designating the size, number, location and/or design of vehicle access points or parking areas;
6. Requiring street right-of-way to be dedicated and street(s), sidewalks, curbs, planting strips, pathways, or trails to be improved;
7. Requiring landscaping, screening, drainage, water quality facilities, and/or improvement of parking and loading areas;
8. Limiting the number, size, location, height and/or lighting of signs;
9. Limiting or setting standards for the location, design, and/or intensity of outdoor lighting;
10. Requiring berms, screening or landscaping and the establishment of standards for their installation and maintenance;
11. Requiring and designating the size, height, location and/or materials for fences;
12. Requiring the protection and preservation of existing trees, soils, vegetation, watercourses, habitat areas, drainage areas, historic resources, cultural resources, and/or sensitive lands;
13. Requiring the dedication of sufficient land to the public, and/or construction of pedestrian/bicycle pathways in accordance with the adopted plans, or requiring the recording of a local improvement district non-remonstrance agreement for the same. Dedication of land and construction shall conform to the provisions of Chapter 3.1, and Section 3.1.030 in particular;
14. Establish a time table for periodic review and renewal, or expiration, of the conditional use to ensure compliance with conditions of approval; such review may be subject to approval by the Planning Official or Planning Commission through a Type II Administrative Review or Type III Quasi-Judicial process at the discretion of the decision making body.

6.1.030 Definitions

The following definitions are organized alphabetically and some related terms are also grouped together and cross-referenced under group headings (*e.g.*, Transportation-Related, Environment-Related, etc.).

R

Rail Right-of-way. See Transportation-Related Definitions.

Recreation Camp. (1) An area devoted to facilities and equipment for recreation purposes, including swimming pools, tennis courts, playgrounds, and similar uses, either open to the public upon payment of a fee, or limited to private membership. (2) An area designated by the landowner for picnicking or overnight camping and offered to the general public, with or without a fee or charge. (See ORS Chapter 446)

Recreational Vehicle. See Vehicle Types.

~~**Recreational Vehicle Park.** A commercial use providing space and facilities for motor homes or other recreational vehicles for recreational use or transient lodging. There is no minimum required stay in a recreational vehicle park, however, the maximum length of stay may be established by the City. Uses where unoccupied recreational vehicles are offered for sale or lease, or are stored, are not included as Recreational Vehicle Parks. See also Outdoor Storage and Display, and Mobile Home Park.~~

Recycling Facility. Any property or establishment on which one (1) or more persons are engaged in collecting, sorting, storing, and distributing post-consumer goods or materials for reuse in the marketplace. Post-consumer goods do not include scrap or waste materials from manufacturing, industrial processing, or waste treatment facilities.

Residence. Same as Dwelling. See Residential Structure Types.

Residential Equipment. Electrical and mechanical equipment commonly associated with residential uses. Examples include heat pumps, air conditioners, pool filters, solar power inverters, utility meters, and wheelchair lifts.

Review Body. The person or group who is assigned to make decisions on land use reviews, whether initially or on appeal. Review body includes the Community Development Director, Planning Commission, and the City Council.

Right-Of-Way. See Transportation-Related Definitions.

Riparian Areas. See Environment-Related Definitions.

Roadway; Roadway Authority. See Transportation-Related Definitions.

6.1.030 Definitions

Residential Structure Types

- A. **Accessory Dwelling Unit.** An interior, attached, or detached residential structure that is used in connection with, or that is accessory to, a single-family dwelling, or attached single-family dwelling.
- B. **Attached Single-family House Dwelling (Townhome or Rowhouse).** Also referred to as Attached Single-Family House. A dwelling unit located on its own lot which shares one or more common or abutting walls with one or more dwelling units. The common or abutting wall must be shared for at least 50 percent of the length of the side of the dwelling. An attached house does not share common floor/ceilings with other dwelling units. An attached house is also called a rowhouse or a common-wall house.
- C. **Cottage.** A small house of less than 1,200 square feet containing one dwelling unit ~~that may be used as a primary dwelling or an accessory dwelling unit, as applicable.~~
- D. **Cottage Cluster.** A group of two or more cottages on one lot.
- E. **Duplex.** A building that contains two primary dwelling units on one lot. The units must share a common wall or common floor/ceiling.
- F. **Dwelling Unit.** A building, or a portion of a building, that has independent living facilities including provisions for sleeping, cooking, and sanitation, and that is designed for residential occupancy by a group of people. Buildings with more than one set of cooking facilities are considered to contain multiple dwelling units or accessory dwelling units, as applicable, unless the additional cooking facilities are clearly accessory to the primary use, such as an outdoor grill or wet bar.
- G. **Manufactured Home.** Manufactured home is a dwelling constructed off-site in accordance with federal manufactured housing construction and safety standards (HUD code) in effect after June 15, 1976, then assembled or placed on-site in accordance with the requirements of this Code. The term “manufactured home” does not include a “recreational vehicle.”
- H. **Mobile Home.** A dwelling unit constructed off of the site and which is not constructed to Building Code standards and does not conform to current standards for Manufactured Homes.
- I. **Multi-Family dwelling Development.** Also referred to as Multi-Dwelling or Multifamily. A development with three (3) or more dwellings on a single lot grouping of individual structures where each structure contains one or more dwelling units. The land underneath the structures is not divided into separate lots. ~~A multi-dwelling development project may include an existing single-dwelling detached building with~~

~~one or more new detached structures located to the rear or the side of the existing house. It might also include a duplex in front with either one or more single dwelling houses behind or one or more duplex units or multi-dwelling structures behind.~~ There is no requirement for the structures on the sites to be attached.

J. **Multi-Family dwelling Structure.** A structure that contains three (3) or more dwelling units that share common walls or floor/ceilings, ~~with one or more units.~~ The land underneath the structure is not divided into separate lots. Multi-family dwelling includes structures commonly called garden apartments, apartments, and condominiums.

K. **Multi-Dwelling.** See Multi-Family

L. **Residential Home** is a residential treatment or training or adult foster home licensed by or under the authority of the department, as defined in ORS 443.400, under ORS 443.400 to 443.825, a residential facility registered under ORS 443.480 to 443.500 or an adult foster home licensed under ORS 443.705 to 443.825 that provides residential care alone or in conjunction with treatment or training or a combination thereof for five (5) or fewer individuals who need not be related. (See also, ORS 197.660.).

M. **Residential Facility** is defined under ORS 430.010 (for alcohol and drug abuse programs); ORS 443.400 (for persons with disabilities); and ORS 443.880; residential facilities provide housing and care for 6 to 15 individuals who need not be related. Staff persons required to meet State-licensing requirements is not counted in the number of facility residents and need not be related to each other or the residents.

N. **Residential Trailer.** A mobile home that was not constructed in accordance with federal manufactured housing construction and safety standards (HUD code), in effect after June 15, 1976. This definition includes the State definitions of residential trailers and mobile houses, as stated in Oregon Revised Statutes (ORS) 446.

O. **Senior Housing.** Housing designated and/or managed for persons over a specified age. Specific age restrictions vary. May include assisted living facilities, retirement homes, convalescent or nursing homes, and similar uses not otherwise classified as Residential Homes or Residential Facilities.

P. **Single Family House.** Also referred to as Single Family Dwelling. A detached dwelling unit located on its own lot.

Q. **Single Room Occupancy Housing (SRO).** A structure that provides living units that have separate sleeping areas and some combination of shared bath or toilet facilities. The structure may or may not have separate or shared cooking facilities for the residents. SRO includes structures commonly called residential hotels and rooming houses.

R. **Small Houses.** Small houses are single-family dwelling units that individually contain less than 1,600 square feet of enclosed floor area excluding garages. Small houses may also include duplex dwelling units that contain less than 1,600 square feet per unit.

S. **Temporary Medical Hardship Dwelling.** A dwelling for the care of an aged or infirm person or persons. Financial hardship, child care, upkeep of home or property, or other convenience arrangements are not considered medical hardships. The temporary dwelling may be a manufactured home or an existing building on the property converted for temporary residential use.