

**IN AND FOR THE CITY OF BROOKINGS
STATE OF OREGON**

**In the Matter of an Ordinance Amending)
Chapter 17.24, Two Family Residential of)
the City of Brookings Municipal Code.) Ordinance No. 08-O-613**

Sections:

- Section 1. Ordinance Identified.
Section 2. Amends Chapter 17.24 in its entirety.

The City of Brookings ordains as follows:

Section 1. Ordinance Identified. This ordinance amends Chapter 17.24, Two Family Residential of Title 17, Land Development Code, of the Brookings Municipal Code (BMC) in its entirety.

Section 2. Amend Chapter 17.24, Two Family Residential, is amended, in its entirety, to read as follows:

Chapter 17.24
TWO-FAMILY RESIDENTIAL (R-2) DISTRICT

Sections:

- | | |
|-----------|--|
| 17.24.010 | Purpose. |
| 17.24.020 | Permitted uses. |
| 17.24.030 | Accessory uses. |
| 17.24.040 | Conditional uses. |
| 17.24.050 | Minimum lot area and dwelling density. |
| 17.24.060 | Lot width, lot coverage and yard requirements. |
| 17.24.070 | Maximum building height. |
| 17.24.080 | Signs. |
| 17.24.090 | Parking. |
| 17.24.100 | Manufactured housing siting requirements. |
| 17.24.110 | Other required conditions. |

17.24.010 Purpose.

Promote and encourage a suitable environment for family living and to protect and stabilize the residential characteristics of R-2 and other neighborhoods by providing suitable areas for two-family dwellings. [Ord. 89-O-446 § 1.]

17.24.020 Permitted uses.

The following uses are permitted:

A. Single-family dwellings. Dwellings must have a garage or carport constructed of like materials;

B. Duplex or two-family dwellings. Dwellings must have a garage or carport for each dwelling unit constructed of like materials;

C. Subject to the requirements of BMC 17.24.100, a manufactured home as defined by ORS 446.003; [Ord. 94-O-446.T § 4; Ord. 91-O-446.E § 1; Ord. 91-O-446.D § 3; Ord. 89-O-446 § 1.]

17.24.030 Accessory uses.

The following accessory uses are permitted:

A. Guest houses containing no kitchen or kitchen facilities and limited to no greater than 500 square feet in size. Guest house may not be rented or otherwise conducted as a business;

B. Other accessory uses and accessory buildings and structures, such as non-commercial greenhouses, customarily appurtenant to a permitted use;

C. Home occupations, subject to the provisions of Chapter 17.104 BMC. [Ord. 89-O-446 § 1.]

D. Boats, trailers, pick-up campers, motor homes and similar equipment may be stored, but not occupied, except as provided for temporary sleeping purposes in 8.15.087, BMC, on a lot in an "R" district; provided that:

1. Parking and storage shall be at least five feet from the front property line and at least three feet from a street and interior side or rear lot line, except however, no storage shall be allowed within 20 feet of the corner along both property lines at a street corner;

2. All areas used for storage of such vehicle/equipment shall be paved or a graveled hard surface.

17.24.040 Conditional uses.

The following conditional uses may be permitted subject to a conditional use permit:

A. Triplexes or three-family dwellings, provided the lot or parcel is a minimum of 7,500 square feet or more and subject to BMC 17.124.210;

B. Churches, subject to BMC 17.124.100;

C. Hospitals, rest, nursing and convalescent homes, subject to BMC 17.124.100;

D. Public, or private schools, but not including a business, dancing, trade, technical or similar school, subject to BMC 17.124.011;

E. Nursery schools and day care, subject to BMC 17.124.011;

F. Governmental structures or uses including parks and recreation facilities, fire stations, libraries, museums, but not including storage or repair yards, warehouses or similar uses;

G. Riding academies and public stables, subject to BMC 17.124.070;

H. Cemeteries mortuaries, crematories, mausoleums, and columbariums; subject to BMC 17.124.090;

I. Off-street parking lots when contiguous to a less restrictive zoning district, subject to Chapter 17.92 BMC;

J. Excavation and removal of sand, gravel, stone, soil or other earth products, subject to BMC 17.124.020 (commercial excavation);

K. Public and quasi-public halls, lodges and clubs, subject to BMC 17.124.120;

L. Planned unit developments, including multi-family dwellings, subject to provisions of Chapter 17.116 BMC;

M. Bed and breakfast facilities, subject to the provisions of BMC 17.124.140;

N. Utility substations or pumping stations subject to BMC 17.124.030;

O. Recreation uses and facilities, including country clubs, golf courses, swimming clubs, but not including such intensive commercial recreation uses as a golf driving range, race track or amusement park;

- P. Signs appurtenant to any conditional use and which do not comply with BMC 17.24.080;
- Q. Dwelling groups subject to BMC 17.124.180.
- R. Short-term rentals pursuant to the provisions of BMC 17.124.170. [Ord. 01-O-446.MM; Ord. 95-O-446.Y § 2; Ord. 95-O-446.X § 4; Ord. 93-O-446.L § 3; Ord. 91-O-446.D § 2; Ord. 89-O-446 § 1.]
- S. Poultry farms and eggeries subject to the provisions of BMC 17.124.040.
- T. Temporary living quarters for caretakers subject to the provisions of BMC 17.124.200.

17.24.050 Minimum lot area and dwelling density.

The minimum lot area shall be 6,000 square feet. [Ord. 89-O-446 § 1.] One duplex may be sited on each, separate lot or parcel.

17.24.060 Lot width, lot coverage and yard requirements.

Lot Width	Front Yard	Side Yard	Rear Yard	Maximum Lot Coverage
60'	20'	5'*	5'*	45%

Provided however, that side yards abutting a street shall be a minimum of 10 feet in width; and
 *Provided that the sideyards and rear yards shall be increased by one-half foot for each foot by which the average building height exceeds 15 feet.

Rear Lots (Flag lot), created pursuant to BMC 17.172.061 have setback requirements of 10 feet from all property line. Any irregularly shaped parcel with a minimal street frontage is also subject to the 10 foot setback from all property lines.

17.24.070 Maximum structure height.

No structure shall be over 30 feet in height, except as provided in BMC 17.128.030 or *BMC 17.124.130*. [Ord. 98-O-446.DD § 5; Ord. 89-O-446 § 1.]

17.24.080 Signs.

Signs shall be permitted in accordance with Chapter 17.88 BMC. [Ord. 89-O-446 § 1.]

17.24.090 Parking.

Off-street parking shall be provided in accordance with Chapter 17.92 BMC. [Ord. 89-O-446 § 1.]

17.24.100 Manufactured housing siting requirements.

A. The manufactured home shall be multisectional and enclose a space of not less than 1,000 square feet.

B. The manufactured home shall be placed on an excavated and backfilled foundation and shall be enclosed at the perimeter such that the manufactured home is located so that no more than 12 inches of the enclosing material is exposed above grade. Where the manufactured home is placed upon a building site having a sloped grade, no more than 12 inches of the enclosing material shall be exposed on the uphill side of the home. If the manufactured home is placed on a basement, the 12-inch limitation will not apply.

C. The manufactured home shall have a pitched roof, except that no standard shall require a sloped of greater than a nominal three feet in height for each 12 feet in width.

D. The manufactured home shall have exterior siding and roofing which in color, material and appearance is similar to the exterior siding and roofing material commonly used on residential

dwellings within the community or which is comparable to the predominant materials used on surrounding dwellings as determined by the local permit approval authority.

E. The manufactured home shall be certified by the manufacturer to have an exterior thermal envelope meeting performance standards which reduce heat loss to levels equivalent to the performance standards required of single-family dwellings constructed under the state building code as defined in ORS 445.010.

F. The manufactured home shall have a garage or carport constructed of like materials. [Ord. 91-O-446.E § 1; Ord. 89-O-446 § 1.]

17.24.110 Other required conditions.

A. Site plan approval required as provided in Chapter 17.80 BMC.

B. No residential structure shall be located within the ocean coastal shorelands boundary nor the Chetco Estuary shorelands boundary as defined in the comprehensive plan. [Ord. 91-O-446.E § 1; Ord. 91-O-446.D § 2; Ord. 89-O-446 § 1.]

C. Prior to any development activity on the property, the applicant must comply with 17.100.030, General Mitigation, BMC.

First reading:

Second reading:

Passage:

Effective date:

Signed by me in authentication of its passage this 24th day of June, 2008.


Mayor Larry Anderson

ATTEST:


City Recorder, Joyce Heffington