

**A BILL FOR AN ORDINANCE AMENDING
SECTION 4.030 OF THE LEBANON ZONING
ORDINANCE (CHAPTER 17.12 OF THE
LEBANON MUNICIPAL CODE), RH
RESIDENTIAL HIGH DENSITY ZONE.**

) Bill No. 11
) for 1997
) Ordinance No. 2206
)
)

WHEREAS, the Planning Commission for the City of Lebanon held a public hearing on the 18th day of June, 1997 for the purpose of considering changes to the Lebanon Zoning Ordinance concerning the Residential High Density Zone, codified in Chapter 17.12 of the Lebanon Municipal Code; and

WHEREAS, the Planning Commission found that appropriate notice was given for the above mentioned public hearing; and

WHEREAS, the Planning Commission determined that certain changes should be made to the Lebanon Zoning Ordinance concerning the Residential High Density Zone; and

WHEREAS, the Planning Commission made a recommendation that the Lebanon City Council should consider and make amendments to the Residential High Density Zone; and

WHEREAS, the Lebanon City Council has conducted a public hearing on the recommendations made by the Planning Commission on July 9, 1997, and the Council finding that appropriate notice has been made for the public hearing; and

WHEREAS, the Lebanon City Council has considered the recommendation of the Planning Commission and the testimony of witnesses and staff at a public hearing;

NOW, THEREFORE, THE CITY OF LEBANON ORDAINS AS FOLLOWS:

Section 1. Chapter 17.12 of the Lebanon Municipal Code (Zoning Ordinance Section 4.030) is hereby amended to read as follows:

- 17.12.010 Applicability.** In a RH (Residential High Density) zone, the regulations set out in this chapter shall apply.
- 17.12.020. Purpose.** To provide areas suitable and desirable for multi-family dwellings, with provisions for associated public service uses, in close proximity to the downtown area of the city.
- 17.12.030. Uses Permitted Outright.** In a RH zone the following uses and their accessory uses are permitted outright:
- A. Single-family dwellings.
 - B. Two-family dwellings.
 - C. Accessory structures and uses which are in keeping with the residential character of the zone.
 - D. Home occupations which meet the requirements as set forth in Chapter 17.40 of this code.
 - E. Residential home or residential facility.
 - F. Family day care provider.
 - G. Adult foster home.
- 17.12.040. Uses permitted in Accordance with Administrative Review Procedures.** In an RH Zone, the following uses may be permitted in accordance with the administrative review procedures of Chapter 17.56 of this code:

- A. Multiple-family dwelling complex less than 20 units.
- B. Condominium complex less than 20 units.
- C. Professional and real estate offices.
- D. Accessory dwelling.
- E. Medical or Dental clinic
- F. Public parking areas.

17.12.050. Conditional Uses Permitted. In an RH zone, the following uses and their accessory uses may be permitted, subject to the provisions of Chapter 17.50 of this code and after a public hearing has been held:

- A. Multiple family dwellings with 20 or more units.
- B. Zero lot line dwellings.
- C. Condominiums with over 20 units.
- D. Conversions of an existing single family dwelling into two-family, condominium, or multiple-family dwellings.
- E. Boarding, lodging or rooming houses.
- F. Fraternal club or lodge.
- G. Hospital, nursing home, or residential facility.

- H. Religious Assembly.
- I. Public or private school.
- J. Utility substations.
- K. Governmental structure or use of land including, but not limited to, recreation building, park, playground, fire station, library or museum.
- L. Cemetery.
- M. Community Center.
- N. Day nursery.
- O. Planned Developments.

17.12.060. Lot Size and Width. Except as otherwise provided in this code, the minimum lot size and width in a RH zone shall be as follows:

- A. The minimum lot area shall be 5000 sq. Ft. (464.5 sq. m) for interior single family dwelling lots and 6,000 sq. Feet (557.42 sq. m) for corner lots.
- B. The minimum lot area shall be 9,000 square feet (836.1 sq. m) for two-family dwellings.
- C. The minimum lot area shall be 11,000 sq. ft. (1022 sq. m) for condominiums and multiple family dwellings.
- D. The minimum lot width shall be 50 feet (15.24m) for single family dwelling lots,

except for corner lots which shall be 60 feet (18.28m).

- E. The minimum lot with shall be 70 feet (21.37m) for two-family dwellings, condominiums and multiple family dwellings.

17.12.070. Minimum Site Areas and Density Bonuses for Multiple-Family Dwellings.

- A. The minimum site area per dwelling unit shall be as described in Table 4-3 for all multiple-family dwellings.
- B. **Private Outdoor Space Density Bonus - 5%.** Minimum required site areas per dwelling unit (Table 4-3) may be reduced by five percent where multiple-family developments include decks, patios, balconies or similar private outdoor space (not located in a required yard) with a minimum dimension of 10 feet (3.05m) and a minimum area of 150 square feet (45.72m) for each unit proposed. Each space must be designed to be private for the exclusive use of occupants of one dwelling unit. This density bonus will be determined based on the actual number of units with a qualifying private outdoor space.
- C. **On-site Recreation Density Bonus - 5%.** Minimum required site areas per dwelling unit (Table 4-3) may be reduced by five percent where multiple-family developments include improved recreational areas and equipment comprising a minimum total area of 900 square feet (83.6 sq. m) for each multiple family dwelling site and 25 square feet per dwelling unit, which ever is greater. Recreation improvements and equipment may include children's play equipment, indoor and outdoor sport courts, swimming pools, furnished "rec rooms" or similar amenities available to all residents of the development without additional special fees. Provision of qualifying recreation amenities is a permanent long-term commitment for the life of the development.

- D. **Affordable Housing Density Bonus - 10%.** The number of permitted dwelling units allowed by the minimum site area requirements may be increased by 10% provided that half of these additional units are available at no cost to qualifying households for a minimum of five years. The no cost units must be similar in the floor area and number of bedrooms to the other half number of units and may be provided off-site. The developer is required to enter into a legally enforceable, assignable contract with a local, regional and/or state housing agency who will assume all responsibility for identifying, placing and managing the qualifying household. In the circumstance of off-site units, the developer will provide agency determined equivalent rent payments and the agency will assume all other responsibilities.

- E. The maximum site area reduction shall be twenty percent for all combined density bonuses.

- F. Site area reduction density bonuses are subject to approval by the Planning Official and/or Planning Commission. Developments qualifying for the above density bonuses must comply with all other development and improvement standards and codes required by the City of Lebanon and the requirements of this zone including setbacks, parking, etc.

TABLE 4-3

SITE AREA PER DWELLING UNIT

<u>Unit Type</u>	<u>Minimum Standard</u>	<u>With 10% Density Bonus</u>	<u>With 15% Density Bonus</u>	<u>With 20% Density Bonus</u>
Studio	1100 sq. ft.	1000 sq. ft.	940 sq. ft.	884 sq. ft.
One Bdrm	1550 sq. ft.	1400 sq. ft.	1320 sq. ft.	1244 sq. ft.
2 Bdrm	2000 sq. ft.	1800 sq. ft.	1700 sq.ft.	1604 sq. ft.
3 Bdrm	2425 sq. ft.	2180 sq. ft.	2060 sq. ft.	1940 sq. ft.
Four or more	2750 sq. ft.	2480 sq. ft.	2340 sq. ft.	2204 sq. ft.

17.12.080 Yards. Except as otherwise provided in this code, in a RH zone the yard requirements shall be as follows:

A. Front Yards

1. Front yards shall be a minimum of 10 feet (3.05m) except at garages and adjacent to arterials, collectors and highways where the minimum shall be 20 feet (6.09m) except as identified in Sections 17.38.020 to 17.38.040 of this code.
2. For corner lots, where the street side yard is 10 feet (3.05m) the minimum front yard set back shall be 15 feet (4.57m). Where the street side yard is 15 feet or more, the front yard set back shall be a minimum of 10 feet. The development of all corner lots is subject to the clear zone requirements of Chapter 17.32 of this code.

B. Side yards shall be a minimum of 5 feet (1.52m) for all dwellings, except zero lot line dwellings which are allowed a zero setback along one property line.

C. Street side yards shall be a minimum of 15 feet (4.57m) where the front setback is less than 15 feet (4.57m); where the front yard setback is 15 feet or more, the minimum street side yard shall be 10 feet (3.05m).

D. Rear yards shall be a minimum of 20 feet (6.09m) for dwellings, and a minimum of 10 feet (3.05m) for all other uses except as allowed in ~~Section 5.010(2)~~.

E. All garage doors and vehicle access openings shall be setback at least 20 feet (6.09m) from the closest adjacent property line.

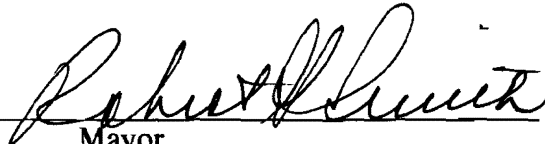
F. Yards shall be landscaped as provided in Chapter 17.44 of this code.

- 17.12.090. Building Height.** Except as otherwise provided in this code, in a RH zone no building shall exceed three stories or a height of 40 feet (12.2m). Any structure taller than 30 feet or two stories shall be reviewed by the Planning commission as a Conditional Use.
- 17.12.100. Clear Vision Area.** A clear vision area shall be maintained as provided in Chapter 17.32 of this code.
- 17.12.110. Lot Coverage.** In a RH zone all buildings shall not occupy more than 60 percent of the lot area.
- 17.12.120. Open Space.** In a RH zone, multiple-family dwellings and condominiums shall be provided with open space at the rate indicated in Table 4-4. The open space shall be designed as dedicated for active use by residents of the development. Such open space shall not occupy a required yard or parking area, driveway, storage, or similar area, must be useable year round, and must provide a minimum dimension of 10 feet (3.05m). Qualifying open space does not include storm water detention basin areas, identified wetland areas, or private outdoor space (as described in Section 17.12.070(B) of this code).

TABLE 4-4

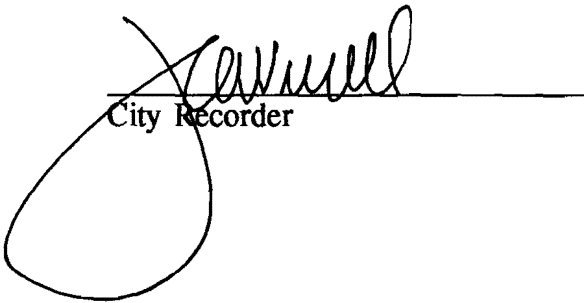
<u>Number of Dwelling Units</u>	<u>Minimum Required Open Space</u>
1-10	300 sq. ft. per unit
11-16	225 sq. ft. for each unit after the first 10 units
17+	150 sq. ft. for each unit after the first 16 units

Passed by the Lebanon City Council this 9th day of July, 1997 by a vote of 6 in favor and 0 against.



Mayor

ATTEST:



City Recorder