

City of Molalla, OR

PARTITION PLAT REVIEW

ARELLANO PARTITION PLAT

Applicants:
Juan Pablo Sandoval Arellano
Luz Elena Arellano Miramontes
Property Owners

TABLE OF CONTENTS

Introduction & Summary.....

Project Location.....

Property Background.....

Project Need and Goals.....

Site Description

 Zoning.....

 Existing Conditions/Structures.....

Project Description.....

 Proposed Plan, Buildings and Uses.....

Title 19.12: Land Divisions and Property Line Adjustments.....

 19.12.020 General Requirements.....

 19.12.030 Pre-planning for Large Sites.....

 19.12.040 Flexible Lot Size - Flag Lots - Lots Accessed by Mid-block Lanes

 19.12.100 Partition Approval Process.....

 19.12.110 Partition Plat Submission Requirements.....

Title 17: Land Use Districts.....

 17.08.020 Land Uses and Development Standards.....

Title 18: Community Design Standards.....

 18.28.030 Sensitive Lands.....

Title 20: Exception to Code Standards.....

Conclusion.....

FIGURES

Figure 1: Vicinity Map.....

Figure 2: Aerial Photo.....

Figure 3: Zoning Map.....

Figure 4: Existing Conditions Map.....

INTRODUCTION & SUMMARY

This narrative is provided in support of the Arellano Partition Plat application to partition an existing lot into two lots in Molalla, Oregon. The Applicant's proposal includes a plan to short plat the existing 13,366 SF lot into two lots of 6,000 SF and 7,366 SF in size.

The applicant is seeking Partition Plat Approval pursuant to MMC 19.1, utilizing the City's Type II process.

This narrative addresses the following substantive areas of the City's code:

- MMC Title 19.12: Land Divisions and Property Line Adjustments
- MMC Title 17: Land Use Districts
- MMC Title 18: Community Design Standards
- MMC Title 20: Exception to Code Standards

The following constitute the project team and contact information. Inquiries should be directed to Jesse Buss as the primary point of contact.

Owners: Juan Pablo Sandoval Arellano
Luz Elena Arellano Miramontes
Attn: Debora Arellano
971-275-7104
110 Ridings Ave.
Molalla OR 97038

Attorney: Jesse A. Buss, Esq.
411 5th St.
Oregon City OR 97045
503-656-4884
jessebuss@gmail.com

Surveyor: Centerline Concepts
19376 Molalla Ave., Ste. 120
Oregon City OR 97045
503-650-0188

PROJECT LOCATION

The project site is located at 633 Metzler Street, Molalla, OR 97038 and is identified at APN 01108223. The property is north of 7th St. and west of Metzler St., and legally described as Lot 5, Block 13, METZLER AND HARTS ADDITION TO MOLALLA, in the County Clackamas and State of Oregon. The site is bounded on three sides by R-2 (Two-Family Residential) and on the south side by M-2 (Heavy Industrial).

PROPERTY BACKGROUND

The subject site is currently being utilized as a single-family home site.

PROJECT NEED AND GOALS

The Applicant is proposing to short plat the existing single lot into two single-family lots.

SITE DESCRIPTION

The following subsections describe the existing conditions associated with the site.

Zoning

The project site is zoned R-2 (Two-Family Residential).

Existing Conditions/Structures

The site is currently occupied by a single-family residence.

PROJECT DESCRIPTION

Proposed Plan, Buildings, and Use

The Arellano Partition Plat proposes to divide the existing single lot into two new legal lots. This proposal does not include any proposed buildings or uses.

TITLE 19.12: LAND DIVISIONS AND PROPERTY LINE ADJUSTMENTS

19.12.020 General Requirements

A. For purposes of this Title 19:

- 2. Partitions are the creation of 3 or fewer lots from 1 lot of parcel within 1 calendar year.*

The proposed plat is for two lots and is subject to the requirements of a Partition as indicated in section 19.12.020.A.2.

B. 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 2 steps:

1. The preliminary plat must be approved before the final plat can be submitted for approval consideration; and
2. The final plat must demonstrate compliance with all conditions of approval of the preliminary plat.

This application is for a preliminary plat approval through the Type II process. The final plat will be submitted after preliminary approval and will comply with all conditions assessed at that time.

C. Compliance with ORS Chapter 92. All subdivision and partition proposals shall conform to Oregon Revised Statute (ORS) Chapter 92, Subdivisions and Partitions.

This application will comply with the requirements of ORS Chapter 92 - Subdivisions and Partitions.

D. Future Re-division Plan. When subdividing or partitioning tracts into large lots (i.e., greater than 2 times or 200% 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 lot size standards of Title 17;
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.

The resulting sizes of the created lots are less than two times the minimum lots size allowed by the underlying land use district (R-2), so this section does not apply to this partition plat.

E. Temporary Sales Office. A temporary sales office in conjunction with a subdivision may be approved as set forth in Section 19.36.010, Temporary Uses.

No temporary sales office will be set up for part of this partition plat.

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 (NFIP) and state building code requirements, including elevating structures above the base flood elevation. The applicant shall

be responsible for obtaining floodplain development permit from the NFIP and local jurisdiction.

The site is outside of known flood areas.

G. Determination of Base Flood Elevation. *Where a development site consists of 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 mapped and it shall be prepared by a qualified professional as part of the land division application.*

The site is outside of known flood areas.

H. Need for Adequate Utilities. *All lots and parcels 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.*

Water is available to the site from both 7th St. and Metzler St., and the other utilities are available from Metzler St. The existing systems and future systems will be constructed to prevent or minimize flood damage, and 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 as a condition of approval.*

No development is proposed as part of this partition plat. Drainage will be addressed at the time of any future development. Currently, water that enters the site infiltrates on site.

J. Floodplain, Park, and Open Space Dedications. *Where land filling and/or development is allowed within or adjacent to identified 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 stormwater management requirements, consistent with Sections 18.16.040 and 18.16.090, and assist in obtaining any floodplain permit that may be required. (Ord. 2010-15 §1; Ord. 2010-04 §1)*

There will be no land filling and/or development within or adjacent to any flood plain, so this section not apply for this application.

19.12.030 Pre-planning for Large Sites.

A. **Applicability.** *This section applies to parcels, and development sites with more than 1 parcel in Residential District(s) that are 40 acres or larger.*

This partition plat does not have any parcel 40 acres or larger, so this section does not apply.

19.12.040 Flexible Lot Size - Flag Lots - Lots Accessed by Mid-block Lanes.

A. **Flexible Lot Size.** *To allow creativity and flexibility in subdivision design and to address physical constraints, such as topography, existing development, significant trees and other natural and built features, the approval body may grant a 10% modification to the lot area and/or lot dimension (width/depth) standards in Section 17.08.030, provided that the overall density of the subdivision does not exceed the allowable density of the district and the approval body finds that granting the modification allows for a greater variety of housing types or it improves development compatibility with natural features or adjacent land uses. The approval body may require that standard size lots be placed at the perimeter of the development where the abutting lots are standard size or larger; except that this provision shall not apply where the abutting lots are larger than 25,000 square feet.*

This partition plat does not propose to create a flag lot or to require any mid-block lanes. Accordingly, this section does not apply.

B. **Mid-Block Lanes.** *Lots may be developed without frontage onto a public street when lot access is provided by mid-block lanes, as shown below. Mid-block lanes or shared driveways, as illustrated in Figure 19.12.040.B, may be required when practicable to provide connectivity between infill developments. Mid-block lanes with access easements for adjoining properties may be allowed as an alternative to requiring through streets where block lengths do not necessitate a through street. The lanes shall meet the standards for alleys, per Section 18.16.020, and the standards under subsections C through F, below.*

This partition plat proposes to provide frontage onto a public street for each new created lot. Accordingly, this application does not require any mid-block lanes, and this section does not apply.

C. **Flag Lots.** *Flag lots may be created only when a through street or mid-block lanes cannot be extended to serve abutting uses or future development. A flag lot driveway ("flag pole") may serve no more than 2 dwelling units, including accessory dwellings and dwellings on individual lots, unless Uniform Fire Code (UFC) standards are met for more units. When UFC standards are met, the maximum number of dwellings shall be 4. A drive serving more than 1 lot shall have a reciprocal access and maintenance easement recorded for all lots. No fence, structure or other obstacle shall be placed within the drive area. The Fire Marshal may require an emergency turn-around. Fire sprinklers may also be required for buildings that cannot be fully served by fire hydrants (i.e., due to distance from hydrant or insufficient fire flow).*

This application does not propose a flag lot, so this section does not apply.

*D. **Driveway and Lane Width.** Driveway widths shall meet the standards of Chapter 21.02.*

The proposed new lots will be wide enough to allow for driveways meeting the requirements of Chapter 21.02.

*E. **Easement and Improvement of Drive Lane.** The property owner shall record a 20-foot easement benefiting all properties that are to receive vehicle access. The drive lane shall be improved with an all weather surface approved by the City. Dedication or recording, as applicable, shall be so indicated on the face of the subdivision or partition plat.*

No flag lots or mid-block lanes are proposed by this application, so this section does not apply.

*F. **Maximum Drive Lane Length.** The maximum drive lane length is subject to requirements of the Uniform Fire Code, but shall not exceed 150 feet for a shared side drive, unless approved by the Molalla Fire Department at which time access can be extended up to 400 feet for a shared rear lane.*

Because no flag lots or mid-block lanes are proposed, this section does not apply.

*G. **Future Street Plans.** Building placement and alignment of shared drives shall be designed so that future street connections can be made as surrounding properties develop (i.e., as shown in Figure 19.12.040.B). (Ord. 2010-15 §1; Ord. 2010-04 §1)*

Because no flag lots or mid-block lanes are proposed, this section does not apply.

19.12.100 Partition Approval Process.

*A. **Review of Preliminary Plat.** Review of a partition shall be processed with a Type II procedure, under Section 19.040.030.*

This submittal package meets the requirements outlined in section 19.04.030.

19.12.110 Partition Plat Submission Requirements.

*A. **General Submission Requirements.** For a partition, the application shall contain all of the information required for a Type II procedure under Section 19.04.030, and the information described in subsection B below.*

- 1. The application shall include a partition plan drawn to a scale of not less than 1 inch equals 50 feet nor greater than 1 inch equals 200 feet; and*
- 2. All plans shall be submitted in electronic (PDF) format. The City may charge a fee to transfer from paper to electronic format as set by City Council resolution.*

The plans in the submittal package meet the scale requirements of section 19.12.110.B.1.e, which is not less than 1 inch = 20 feet, and the submittal package has been submitted in PDF format.

B. Partition Information. In addition to the general information described in subsection A above, a partition application shall include drawings and supplementary written material (i.e., on forms and/or in a written narrative) adequate to provide the following information:

1. General Information.

- a. Proposed partition name;
- b. Date, north arrow, and scale of drawing;
- c. Location of the development sufficient to define its location in the City, boundaries, and a legal description of the site;
- d. Total square footage of the proposed development;
- e. The application shall include a tentative plan drawn to a scale of not less than 1 inch = 20 feet, nor more than 1 inch = 200 feet, and containing the following information:
 - i. The date, north point, scale and sufficient description to define the location and boundaries of the parcel to be partitioned and its location in the planning control area,
 - ii. Name and address of the record owner and the person who prepared the map,
 - iii. Approximate acreage of the parcel under a single ownership or, if more than 1 owner is involved, the total contiguous acreage of all owners of land directly involved in the partitioning,
 - iv. For land adjacent to and within the partition to be partitioned, the location, width and names of all streets, location and size of sewers, water lines, drainage ways and power poles,
 - v. Outline and location of existing buildings to remain in place,
 - vi. Outline and location of existing buildings to be removed,
 - vii. Lot layout showing size and relationship to existing or proposed streets and utility easements;

As part of the submittal package, plan sheets have been included that show all of the information outlined above. Information not shown on the plans has been addressed as part of this narrative.

2. Site Analysis.

- a. **Streets.** Location, name, present width of all streets, alleys and rights-of-way on and abutting the site;
- b. **Easements.** Width, location and purpose of all existing easements of record on and abutting the site;
- c. **Utilities.** Location and identity of all utilities on and abutting the site. If water mains and sewers are not on or abutting the site, indicate the direction and distance to the nearest one and show how utilities will be brought to standards;
- d. Ground elevations shown by contour lines at 5-foot vertical intervals for ground slopes exceeding 10% and at 2-foot intervals for ground slopes of less than 10% or as required by the City. Such ground elevations shall be

related to some established benchmark or other datum approved by the County Surveyor. This requirement may be waived for partitions when grades, on average, are less than 6%;

- e. Potential natural hazard areas, including any flood plains, areas subject to high water table, landslide areas, and areas having a high erosion potential;*
- f. Sensitive lands, including wetland areas, streams, wildlife habitat, and other areas identified by the City or natural resource regulatory agencies as requiring protection (See also Chapter 18.28 and relevant portions of the Comprehensive Plan);*
- g. Site features, including existing structures, pavement, large rock outcroppings, areas having unique views, and drainage ways, canals and ditches;*
- h. Designated historic and cultural resources on the site and adjacent parcels or lots;*
- i. The location, size and species of trees having a caliper (diameter) of 6 inches or greater at 4 feet above grade in conformance with Chapter 18.08;*
- j. Name and address of project designer, if applicable; and*
- k. Other information, as deemed appropriate by the Planning Director. The City may require studies or exhibits prepared by qualified professionals to address specific site features and code requirements.*

The parent parcel is served by 7th St. to the south and Metzler St. to the east. 7th St. is accessed from S. Molalla Ave. to the east. Metzler St. is accessed from 7th St. to the south and Section St. to the north.

The present widths of the streets is shown on the existing conditions map, included with this application.

No frontage improvements are needed as part of this application.

There are currently no existing easements on the property.

The site is served by the City of Molalla for water and sewer. Water serves the existing lot from Metzler St. Water for the new lot will come from 7th St. The new lot will access public sewer from Metzler St. with the addition of a utility easement across the existing lot. No extensions are going to be proposed as part of this application. Future development will be required to extend adequate utility lines for the proposed residential lot.

The existing property is being used as a single-family residential lot. It contains one single-family house with associated paving.

There are no historical resources on the site. There are several trees with a DBH greater than 6” on site, as designated on the attached existing conditions map.

3. Proposed Improvements.

- a. *Public and private streets, tracts, driveways, open space and park land; location, names, right-of-way dimensions, approximate radius of street curves; and approximate finished street center line grades. All streets and tracts that are being held for private use and all reservations and restrictions relating to such private tracts shall be identified;*
- b. ***Easements.** Location, width and purpose of all proposed easements;*
- c. ***Lots and Private Tracts (e.g., Private Open Space, Common Area, or Street).** Approximate dimensions, area calculation (e.g., in square feet), and identification numbers for all proposed lots and tracts;*
- d. *Proposed uses of the property, including all areas proposed to be dedicated to the public or reserved as open space for the purpose of surface water management, recreation, or other use; potential location of future buildings;*
- e. *Proposed improvements, as required by Title 18 (Design Standards), and timing of improvements (e.g., in the case of streets, sidewalks, street trees, utilities, etc.);*
- h. *Preliminary location of development showing those future buildings can meet siting and dimensional standards of the district;*
- i. *The proposed source of domestic water;*
- j. *The proposed method of sewage disposal;*
- k. *Proposed method of surface water drainage and treatment if required;*
- l. *The approximate location and identity of other utilities, including the locations of street lighting fixtures;*
- m. *Proposed railroad crossing or modifications to an existing crossing, if any, and evidence of contact with the affected railroad and the Oregon Department of Transportation Rail Division regarding proposed railroad crossing(s);*
- n. *Changes to navigable streams, or other watercourses. Status of public access to these areas shall be shown on the preliminary plat, as applicable;*
- o. *Identification of the base flood elevation for development of more than 2 lots or ½ acre, whichever is less. Written evidence of initiation of a Federal Emergency Management Agency (FEMA) flood plain map amendment shall be required when development is proposed to modify a designated 100-year flood plain. FEMA approval of the amendment shall be a condition of City land use approval;*
- p. *Evidence of contact with from the road authority for any development requiring access to its facility(ies); and*
- q. *Evidence of written notice to the applicable natural resource regulatory agency(ies) for any development within or adjacent to jurisdictional wetlands and other sensitive lands, as identified in Chapter 18.28. (Ord. 2010-15 §1; Ord. 2010-04 §1)*

The Applicant is proposing a partition plat to divide one residential lot into two. The existing lot is 13,366 SF and will be divided into a 6,000 SF Lot 1 and 7,366 SF Lot 2. There will be no streets created as part of the plat. The existing streets will not require additional improvements as part of this plat.

The partition plat will allow for the sanitary sewer from Metzler St. to serve Lot 1.

The proposed uses will be the same as existing. There will be no public open space or tracts as part of this partition plat.

19.12.120 Approval Criteria.

A. General Approval Criteria. The City may approve, approve with conditions or deny a partition based on the following approval criteria:

1. The proposed partition complies with the applicable Development Code sections and all other applicable ordinances and regulations. At a minimum, the provisions of this title, and the applicable chapters and sections of Title 17 (Land Use Districts) and Title 18 (Design Standards) shall apply. Where a variance is necessary to receive partition approval, the application shall also comply with the relevant sections of Title 20;

The proposed partition complies with applicable Development Code sections, including Title 17, Title 18, Title 19, and applicable portions of Title 20.

2. The proposed plat name is not already recorded for another partition, and satisfies the provisions of ORS Chapter 92;

To the Applicant's knowledge, the proposed plat name is not already recorded for another partition plat and meets the provisions of ORS Chapter 92 - Subdivisions and Partitions.

3. The proposed streets, roads, sidewalks, bicycle lanes, pathways, utilities, and surface water management facilities are laid out so as to conform or transition to the plats of subdivisions and maps of major partitions already approved for adjoining property as to width, general direction and in all other respects. All proposed public improvements and dedications are identified on the preliminary plat;

No new streets, roads, sidewalks, bicycle lanes, pathways, utilities, or surface water management facilities are proposed as a part of this application. Any future development will comply with this requirement.

4. All proposed private common areas and improvements (e.g., homeowner association property) are identified on the preliminary plat;

There are not proposed private common areas or improvements as part of this application.

5. Evidence that any required state and federal permits have been obtained, or shall be obtained before approval of the final plat;

To the Applicant's knowledge, there are no applicable state or federal permits required at this time.

6. *Evidence that improvements or conditions required by the City, road authority, Clackamas County, special districts, utilities, and/or other service providers, as applicable to the project, have been or can be met; and*

Both roads abutting the site are improved. There are no needed improvements as part of this application. However, any future development will be able to meet any applicable requirements.

7. *If any part of the site is located within a Specific Area Plan District, Overlay Zone, or previously approved Master Planned Development, it shall conform to the applicable regulations and/or conditions.*

No part of the site is located within a Specific Area Plan District, Overlay Zone, or previously approved Master Planned Development.

B. *Layout and Design of Streets, Blocks and Lots.* *All proposed blocks (i.e., 1 or more parcels bound by public streets) parcels conform to the specific requirements below:*

1. *All parcels shall comply with the parcel size, setback, and dimensional requirements of the applicable land use district (Title 17), and the standards of Section 18.04.020, Street Connectivity and Formation of Blocks;*

The proposed lots comply with the parcel size, setback, and dimension requirements of the R-2 district in Title 17. No development is proposed at this time, so Section 18.04.020 does not apply at this time, however, any future development will be able to comply with this section.

2. *Setbacks shall be as required by the applicable land use district (Title 17);*

Setbacks meet the requirements of the R-2 district per Title 17.

3. *Each parcel shall conform to the standards of Chapter 18.04, Access and Circulation;*

No development is proposed at this time, so Section 18.04 does not apply at this time, however, any future development will be able to comply with this section.

4. *Landscape or other screening may be required to maintain privacy for abutting uses. See Title 17, Land Use Districts, and Chapter 18.08, Landscaping;*

No development is proposed at this time, so Section 18.08 does not apply at this time, however, any future development will be able to comply with this section.

5. *In conformance with the Uniform Fire Code, a 20-foot width fire apparatus access drive shall be provided to serve all portions of a building that are located more than 150 feet from a public right-of-way or approved access drive. See Chapter 18.04, Access and Circulation;*

No development is proposed at this time, so Section 18.04 does not apply at this time. However, no point on the proposed lots will be more than 150 feet from a public right of way, so this section will not apply to any future development.

6. *Where a common drive is to be provided to serve more than 1 parcel, a reciprocal easement which will ensure access and maintenance rights shall be recorded with the approved partition plat;*

No common drives are proposed.

7. *All applicable engineering design standards for streets, utilities, surface water management, and easements shall be met.*

No development is proposed at this time. At the time of development, all applicable engineering design standards for streets, utilities, surface water management, and easements shall be met.

*C. **Conditions of Approval.** The City may attach such conditions as are necessary to carry out provisions of this Code, and other applicable ordinances and regulations, and may require reserve strips be granted to the City for the purpose of controlling access to adjoining undeveloped properties. See Chapter 18.16 (Public Facilities). (Ord. 2010-15 §1; Ord. 2010-04 §1)*

The Applicant will comply with an Conditions of Approval at the time of Final Plat.

TITLE 17: LAND USE DISTRICTS

17.08.020 Land Uses and Development Standards

There are no proposed uses as part of the partition plat. The following describes the allowable uses and developments standards for R-2 zoning.

R-2, MEDIUM DENSITY RESIDENTIAL

Development Standards

A. Density

1. Minimum 6 dwelling units per net buildable acre
2. Maximum 12 dwelling units per net buildable acre

Proposed Lot 1 has a net buildable area of 6,000 SF (0.14 AC), allowing a minimum and maximum of one dwelling unit.

Proposed Lot 2 has a net buildable area of 7,366 SF (0.17 AC), allowing a minimum of one dwelling unit and a maximum of two dwelling units.

B. *Minimum Lot Area*

<i>Single-Family, Detached</i>	<i>Single-Family, Attached</i>	<i>Duplex</i>
<i>6,000 sq ft</i>	<i>3,000 sq ft</i>	<i>7,000 sq ft</i>

Proposed Lot 1 has a lot area of 6,000 SF and proposed Lot 2 has a lot area of 7,366 SF.

C. Maximum Lot Coverages

<i>Single-Family, Detached</i>	<i>Single-Family, Attached</i>	<i>Duplex</i>
<i>80%</i>	<i>80%</i>	<i>80%</i>

Both proposed lots will have a maximum possible lot coverage of 80%.

D. Minimum Lot Width

<i>Single-Family, Detached</i>	<i>Single-Family, Attached</i>	<i>Duplex</i>
<i>60 ft</i>	<i>25 ft</i>	<i>60 ft</i>

Proposed Lot 1 has a width of 60 ft and proposed Lot 2 has a width of 73 ft.

E. Minimum Lot Depth

<i>Single-Family, Detached</i>	<i>Single-Family, Attached</i>	<i>Duplex</i>
<i>80 ft</i>	<i>60 ft</i>	<i>80 ft</i>

Proposed Lot 1 has a depth of 100.71 ft and proposed Lot 2 has a depth of 100.5 ft.

F. Building Height Number/Number of Stories/Building Height Transition/Minimum Landscape Area (% of site area)

<i>Max Building Height</i>	<i>Max Number of Stories</i>	<i>Building Height Transition</i>	<i>Min Landscape Area¹⁴ (% of site area)</i>
<i>30 ft</i>	<i>3 1/2</i>	<i>No</i>	<i>20%</i>

Both proposed lots have a maximum building height of 30 ft, a maximum of 3 1/2 stories, and a 20% minimum landscaping area.

G. Setbacks

1. Front

- a. 15 ft - Primary building¹⁵*
- b. 20 ft - Garages/carports*
- c. 10 ft - Porches, balconies, patios*

20 ft - Accessory structures (must be setback equal to the front setback but shall not project in front of the primary structure)

Any new development on the proposed lots will comply with applicable front setbacks.

2. Interior Side

- a. 5 ft - Building (including garages/carports) 22 ft peak or less*
- b. 2 ft - Porches, balconies and patios may project into a setback on buildings up to 22 ft peak or less*
- c. 10 ft - Building (including garages/carports) over 22 ft in height or more than 1 story*
- d. 5 ft - Porches, balconies and patios may project into a setback on buildings over 22 ft in height*
- e. 0 ft - Accessory structures 199 sq ft and less¹⁶*
- f. 5 ft - Accessory structures 200 sq ft and greater*
- g. 10 ft - Accessory structures greater than 22 ft in height*
- h. 0 ft - Common walls/zero lot lines*
- i. 5 ft - Alleys*

Any new development on the proposed lots will comply with applicable interior side setbacks.

3. Street Side

- a. 15 ft - Building (including garages/carports)¹⁷*
- b. 5 ft - Porches, balconies and patios may project into a setback*
- c. 15 ft - Accessory structures*

Any new development on the proposed lots will comply with applicable interior side setbacks.

4. Rear Side

- a. 15 ft - Building (including garages/carports)*
- b. 5 ft - Porches, balconies and patios may project into a setback*
- c. 0 ft - Accessory structures 199 sq ft and less¹⁸*
- d. 5 ft - Accessory structures 200 sq ft and greater*
- e. 10 ft - Accessory structures greater than 22 ft in height*
- f. N/A - Common walls/zero lot lines*
- g. 2 ft - Alleys*
- h. 30 ft - Setbacks shall be increased to the following along arterials*

Any new development on the proposed lots will comply with applicable rear side setbacks.

5. Fences, Retaining/Garden Walls

- a. 42 in - Front yard (from garage setback)*

- b. 6 ft - Interior side yard
- c. 6 ft - Rear
- d. 6 ft - Street side

Any new development on the proposed lots will comply with applicable requirements of this section.

H. Permitted Uses

- 1. *Single-family (detached and attached)*
- 2. *Duplex*
- 3. *Group home*
- 4. *Manufactured home*
- 5. *Public park, playground, or recreational area, and buildings used in connection therewith*

I. Accessory Uses

- 1. *Gardening and horticultural activities and related structures for non-commercial purposes*
- 2. *Home occupation, pursuant to Section 19.36.020*
- 3. *Garages or carports*
- 4. *Indoor recreation facilities (non-commercial)*
- 5. *Signs, subject to requirements of Chapter 18.32*
- 6. *Swimming pools as outlined in Chapter 21.40*
- 7. *Use customarily incidental and subordinate to a PRINCIPLE use permitted outright*

J. Conditional Uses

- 1. *Golf course*
- 2. *Governmental building*
- 3. *Cemetery*
- 4. *Noncommercial storage areas¹⁹*
- 5. *Private, nursery, school, kindergarten, or daycare center²⁰*
- 6. *Public/semi-public building serving as a library, museum, or other similar purpose*
- 7. *Public, private or parochial school*
- 8. *Religious institutions and houses of worship*
- 9. *Telecommunication facilities*

Single-family (detached and attached) are approved uses.

TITLE 18: COMMUNITY DESIGN STANDARDS

No development is proposed as part of this partition plat. Accordingly, this title does not apply to this application.

TITLE 20: EXCEPTION TO CODE STANDARDS

The proposed partition plat meets all code requirements. No exceptions to the code standards will be required.

CONCLUSION

The Applicant has provided the information supporting the approval of a partition plat on the proposed site. This proposal complies with all applicable City of Molalla Code and furthers the goals of the adopted Comprehensive Plan.

Figure 1: Vicinity Map



Figure 2: Aerial Photo



Figure 3: Zoning Map



