

ORDINANCE BILL NO. 18 FOR 1983

ORDINANCE NO. 905

AN ORDINANCE AMENDING ORDINANCE NO. 644, THE SWEET HOME ZONING ORDINANCE

The City of Sweet Home does ordain as follows:

Section 1. Section 1.030. Definitions. is hereby amended by adding the following:

(66) Boarding or Rooming House. A dwelling or part thereof, other than a hotel or motel, where lodging with or without meals is provided, for compensation, for three or more persons on a daily or longer basis.

(67) Bed and Breakfast Establishment. A dwelling or part thereof, other than a hotel or motel, where lodging with meals is provided, for compensation, to transient guests for less than a month at a time. Such an establishment shall be occupied by the proprietor and not contain more than five (5) guest rooms.

(68) Hotel. A building in which lodging is provided to guests for compensation and in which no provisions are made for cooking in the lodging rooms.

(69) Motel. A building or group of building lots in which lodging is provided to guests for compensation, with lodging units having separate entrances directly exterior and which may or may not have cooking facilities in the lodging units.

Section 2. Section 3.010. Classification of Zones. is hereby amended by deleting the following:

Residential Medium-Density	R-2
Residential High-Density	R-3

and by adding the following:

Residential High Density	R-2
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Section 3. Section 4.010. (3) is hereby amended by adding the following:

- (o) Boarding or rooming house.
- (p) Bed and breakfast establishments.

Section 4. Section 4.010 (4) (a) is hereby amended to read as follows:

Section 4.010 (4) (a). The minimum lot area shall be 8,000 square feet for a two-family dwelling.

Section 5. Section 4.010 (4) (d) is hereby amended to read as follows.

Section 4.010 (4) (d). The minimum lot width at the front building line shall be 80 feet for a corner lot and 70 feet for an interior lot.

Section 6. Section 4.010 (6) is hereby amended to read as follows:

Section 4.010 (6). Lot Coverage. In an R-1 zone, buildings shall not occupy more than 35 percent of the lot area.

Section 7. Section 4.020. Residential Medium Density Zone R-2. is hereby repealed.

Section 8. Section 4.030. Residential High Density Zone. R-3. is hereby amended to read as follows:

Section 4.030. Residential High-Density Zone. R-2. In an R-2 zone, the following regulations shall apply:

(1) Purpose. The purpose of the R-2 zone is to provide areas suitable and desirable for high-density residential development, and particularly for apartments, but where other types of residential and related public service uses are appropriate. The R-2 zone is most appropriate in areas which have been developed for high-density residential use or which are suitable for such use due to proximity to downtown Sweet Home and to highway-related commercial areas inside the city.

(2) Uses permitted outright. In an R-2 zone, the following uses and their accessory uses are permitted outright:

(a) A use permitted outright in an R-1 zone, except that a two-family dwelling may be permitted on either a corner or interior lot.

(b) Multi-family dwelling.

(3) Conditional uses permitted. In an R-2 zone, the following uses and their accessory uses may be permitted subject to the provisions of Sections 5.010 to 5.080:

(a) A use permitted as a conditional use in R-1 zone.

(b) Mobile home park.

(c) Professional office, except for veterinarian.

(d) Club, lodge, fraternal organization.

(4) Lot size and width. Except as provided in Sections 5.010 to 6.110, the minimum lot size and width in an R-2 zone shall be as follows:

(a) The minimum lot area for a multi-family dwelling shall be 2,500 square feet per dwelling unit.

(b) The minimum lot area for a two-family dwelling shall be 6,000 square feet.

(c) The minimum lot area for a single-family dwelling and all other uses permitted in an R-2 zone shall be 5,000 square feet.

(d) The minimum lot width at the front building line shall be 70 feet for a corner lot and 60 feet for an interior lot.

(5) Yards. Except as provided in Sections 5.010 to 6.110, in an R-2 zone, yards shall be as follows:

- (a) The front yard shall be a minimum of 20 feet.
- (b) Each side yard shall be a minimum of 5 feet.
- (c) The street yard shall be a minimum of 15 feet.
- (d) The rear yard shall be a minimum of 10 feet.
- (e) No building shall be located closer than 40 feet from a center line of a street other than an alley.

(6) Lot coverage. In an R-2 zone, buildings shall not occupy more than 50 percent of the lot area.

(7) Building height. Except as provided in Sections 5.010 to 6.110, in an R-2 zone no building shall exceed a height of 35 feet.

(8) Minimum building size. Single family dwellings or mobile homes in the R-2 zone shall have a minimum building size of 720 square feet.

Section 9. Section 4.110 (2) (a) is hereby amended to read as follows:

Section 4.110 (2) (a). Two-family and multi-family dwellings, subject to the lot size and width, yard, lot coverage and building height requirements of the R-2 zone.

Section 10. Section 4.110 (2) (g) is hereby amended to read as follows:

Section 4.110 (2) (g). Motel, hotel, rooming/boarding house, bed and breakfast establishment.

Section 11. Section 4.120 (2) is hereby amended by adding the following:

- (r) Rooming or boarding house.
- (s) Bed and breakfast establishment.

Section 12. Section 4.130 (2) is hereby amended by adding the following:

- (h) Rooming or boarding house.
- (i) Bed and breakfast establishment.

Section 13. Section 4.130 (4) (a) is hereby amended to read as follows:

Section 4.130 (4) (a). Residential uses shall be subject to the lot size and width, yard, lot coverage and building height requirements of the R-2 zone.

Section 14. Section 4.210 (3) is hereby amended by adding the following:

- (j) Controlled recreation.

Section 15. Section 4.314 (3) is hereby amended to read as follows:

Section 4.314(3). Upon receipt of the rezone petition accompanied by the general development plan and program, the Planning Commission shall hear a presentation by the applicant of his general development plan and program at a public hearing. The Planning Commission may elect to conduct this meeting as a public hearing in accordance with the provisions of Section 9.020.

Section 16. Section 4.346 (3) is hereby repealed.

Section 17. Section 4.346 (4) (a) is hereby amended to read as follows:

Section 4.346 (4) (a). Be a 1972 or later model with an Oregon insigne or documentation that the mobile meets 1972 minimum standards.

Section 18. Section 4.346 (7) is hereby amended to read as follows:

Section 4.346 (7). The mobile homes shall be placed on and securely anchored to a foundation meeting State of Oregon standards.

Section 19. Section 4.360 (2) is hereby amended by adding the following:

- (c) Restaurant, which may include a cocktail lounge operated in conjunction with the restaurant.
- (d) Bed and breakfast establishment.
- (e) Souvenir or gift shop.
- (f) Commercial amusement or recreation enterprise, but excluding uses such as automobile speedway, racetrack or similar large scale intensive activities which possess characteristics which may be a hazard for adjoining or nearby property, such as excessive noise or lighting.

Section 20. Section 4.360 (3) is hereby amended to read as follows:

Section 4.360 (3). Conditional uses permitted. In a PRC zone, the following uses and their accessory uses may be permitted, subject to the provisions of this section and Sections 5.010 to 5.080:

- (a) Multi-family dwelling.
- (b) Motel, hotel or resort.
- (c) Vacation or travel trailer park
- (d) Public park or recreation area.
- (e) Other governmental structure or use of land, or public utility facility. All equipment and material storage shall be within an enclosed building. No workshop areas shall be permitted.
- (f) Museum, art gallery or similar use.
- (g) Other recreation-oriented uses or activities similar to the above.

Section 21. Section 4.360 (4) (a) is hereby amended to read as follows:

Section 4.360 (4) (a). Residential uses shall be subject to the lot size and width, yard, and building height requirements of the R-2 zone.

Section 22. Section 4.420 (4) is hereby amended to add the following:

In addition, rooming and boarding houses shall be permitted subject to the provisions of this section and Sections 5.010 to 5.080.

Section 23. Section 4.420 (5) (a) is hereby amended to read as follows:

Section 4.420 (5) (a). Single-family dwellings shall be subject to the standards of the R-1 zone for all requirements except building size, for which R-2 standards will apply.

Section 24. Section 5.080 (3) is hereby repealed.

Section 25. Section 7.020 (3) is hereby amended to read as follows:

Section 7.020 (3). In any commercial or industrial zone, a pre-existing single-family dwelling may be altered or extended; provided, that such alteration or extension shall not exceed the lot size and width, yard, lot coverage and building height requirements of the R-2 zone.

Section 26. Section 8.030 (4) is hereby amended to read as follows:

Section 8.030 (4). Should the city manager choose to act on the request without referral to the planning commission, he shall cause a notice of the request to be mailed to all owners of property within 100 feet of the exterior boundaries of the property for which the variance has been requested and to members of the planning commission. The mailed notice shall specify that comments will be received by the city manager for a 10-day period following the date of the notice.

Section 27. Section 9.020 (1) and (2) are hereby amended to read as follows:

- (1) The planning commission may elect to conduct a public hearing on the proposed amendment.
- (2) The planning commission shall recommend to the city council approval, disapproval or modification of the proposed amendment.

Section 28. Article 10 Administrative Provisions is hereby amended by adding a Section 10.025 Home Occupation Permit as follows:

Section 10.025. Home Occupation Permit.

- (1) The city manager may permit home occupations in a residential zone, provided that the following standards are met:
 - (a) The home occupation shall be secondary to the main use of the dwelling as residence.
 - (b) All aspects of the home occupation shall be contained and conducted within a completely enclosed building.
 - (c) No person other than a maximum of two members of the family residing within the dwelling shall be engaged in the home occupation.

- (d) There is no display that will indicate from the exterior that the building is being used in whole or in part for any purpose other than a building.
- (e) No structural alteration shall be permitted which would detract from the use or outward appearance of the property as a residence.
- (f) The floor area devoted exclusively to the home occupation must not exceed 49% of the total floor area of the dwelling. If located within an accessory structure or a garage, the home occupation shall not utilize over 500 square feet of floor area.
- (g) One unlighted sign not exceeding 2 square feet in area may be used only to identify the name and/or occupation of the resident.
- (h) No materials or mechanical equipment shall be used which are detrimental to residential use of the dwelling or nearby dwellings because of vibration, noise, dust, smoke, odor, interference with radio or television reception or other factors.
- (i) No parking of customers' vehicles in a manner of frequency so as to disturb or inconvenience nearby residents or so as to necessitate off-street parking shall be allowed.

(2) Prior to issuance of a home occupation permit, the city manager shall cause notices of the home occupation application to be mailed to property owners within 300 feet of the property upon which the use is proposed. Permit shall not be issued until 10 days after mailing of notices to the affected property owners.

(3) Decisions of the city manager may be appealed to the planning commission in accordance with Section 10.040.

PASSED by the Council and approved by the Mayor this 12th day of July 1983.



Mayor

ATTEST:



City Manager - Exofficio City Recorder