

**CHAPTER 33.251**  
**MANUFACTURED HOMES AND MANUFACTURED DWELLING PARKS**

(Amended by: Ord. No. 165376, effective 5/29/92; Ord. No. 166702, effective 7/30/93; Ord. No. 167054, effective 10/25/93; Ord. No. 177028, effective 12/14/02; Ord. No. 177422, effective 6/7/03; Ord. No. 182429, effective 1/16/09.)

Sections:

- 33.251.010 Purpose
- 33.251.020 Manufactured Homes on Individual Lots
- 33.251.025 More Than One Manufactured Home on a Site
- 33.251.030 Manufactured Dwelling Park Regulations

**33.251.010 Purpose**

This chapter provides standards which will allow the placement of manufactured homes, mobile homes and manufactured dwelling parks in residential areas without changing the character of existing neighborhoods. These regulations promote additional housing options and provide locational opportunities for manufactured dwellings.

**33.251.020 Manufactured Homes on Individual Lots**

- A. Purpose.** The purpose of this section is to allow affordable housing opportunities in structures whose appearance is similar to housing built to the Oregon Structural Speciality Code (the Uniform Building Code as amended by the State.)
- B. Zones and types of manufactured homes allowed.** Manufactured homes are allowed on individual lots as follows:
  - 1. In all zones where houses are an allowed housing type, except in Historic Districts where they are prohibited;
  - 2. In zones where multi-dwelling development is allowed, two to six manufactured homes may be allowed if they meet the provisions of this chapter; and
  - 3. On individual lots in manufactured dwelling parks that were created under the provisions of Chapter 33.642.
- C. Development standards.** Manufactured homes must meet the development standards of the base zone, except on individual lots in manufactured dwelling parks that were created under the provisions of Chapter 33.642.
- D. Other regulations.** Manufactured homes must meet the following standards:
  - 1. Floor area. The manufactured home must be at least 1,000 square feet in floor area.
  - 2. Roof. The manufactured home must have a pitched roof with a pitch of at least a nominal 3/12. The roof must be covered with shingles, shakes, or tile. Eaves from the roof must extend at least 1 foot from the intersection of the roof and the exterior walls.
  - 3. Foundation. The manufactured home must be set on an excavated, back-filled foundation and enclosed at the perimeter.

4. Exterior siding. The exterior siding of the manufactured home must have the same appearance as materials commonly used on residential dwellings. Metal siding must be painted or anodized.
5. Hauling mechanisms. The transportation mechanisms including the wheels, axles and hitch must be removed.

### **33.251.025 More Than One Manufactured Home on a Site**

The following standards apply when more than one manufactured home is located on a site:

- A. Two or three manufactured homes.** Two or three manufactured homes on a site are regulated as multi-dwelling development in zones that allow multi-dwelling development. They are subject to the density and development standards that would apply to multi-dwelling development on the site. The manufactured homes may be detached or may share common walls or ceilings with other manufactured homes on the site. The manufactured homes must also meet the standards of 33.251.020.D, above.
- B. Four to six manufactured homes.** Four to six manufactured homes on a site must meet one of the following standards:
  1. Four to six manufactured homes on a site may be regulated as multi-dwelling development in zones that allow multi-dwelling development. They are subject to the density and development standards that would apply to multi-dwelling development on the site. The manufactured homes may be detached or may share common walls or ceilings with other manufactured homes on the site. The manufactured homes must also meet the standards of 33.251.020.D, above; or
  2. Four to six manufactured homes on a site must meet the regulations of Section 33.251.030, Manufactured Dwelling Park Regulations.
- C. Seven or more manufactured homes.** Seven or more manufactured homes on a site must meet the regulations of Section 33.251.030, Manufactured Dwelling Park Regulations.
- D. Historic Districts and Conservations Districts.** Manufactured homes are prohibited in Historic Districts. More than one manufactured home on a site is prohibited in Conservation Districts.

### **33.251.030 Manufactured Dwelling Park Regulations**

- A. Purpose.** Manufactured dwelling parks are allowed in certain high-density residential zones to provide locational opportunities for manufactured dwellings. The manufactured dwelling park requirements provide standards for orderly development, adequate vehicle circulation, parking, pedestrian circulation, open areas, and landscaping.
- B. Where these regulations apply.** These regulations apply to all manufactured dwelling parks. For sites with four to six manufactured homes, an applicant may choose to meet the regulations of this section or the regulations of 33.251.025.B, above.

- C. Zones allowed.** Manufactured dwelling parks are allowed only in the R3 and R2 zones. An exception is Historic Districts and Conservation Districts, where they are prohibited.
- D. Uses allowed.** In manufactured dwelling parks that have been divided under the provisions of Chapter 33.642, Household Living is an allowed use. All other uses are prohibited.
- E. Density.** The maximum density allowed in a manufactured dwelling park is that allowed by the base zone. In calculating density, the area of the whole park is included except public or private streets or driveways which serve four or more manufactured dwelling spaces.
- F. Types of structures allowed.**
1. All types of manufactured dwellings are allowed in manufactured dwelling parks. Recreational vehicles, if owned by a manufactured dwelling park resident, may be parked on the required parking space but may not be used for residential purposes.
  2. In manufactured dwelling parks that have been divided under the provisions of Chapter 33.642, Land divisions of Manufactured Dwelling Parks, residential structure types other than manufactured dwellings are prohibited.
- G. General park requirements.**
1. Perimeter landscape area. A 10-foot deep area landscaped to at least the L1 standard must be provided around the perimeter of the manufactured dwelling park. Vehicle areas, including driveways and parking areas, must meet the perimeter landscaping requirements in Section 33.266.130.G.
  2. Individual outdoor areas. An individual area landscaped to at least the L1 standard or surfaced with pavers or decking is required for each manufactured dwelling space. The minimum size is 48 square feet. The minimum dimension is 6 feet. The individual outdoor area must be placed on or adjacent to each manufactured dwelling space. Common outdoor areas, as required by Paragraph 3, below, may not be counted towards meeting this requirement.
  3. Common outdoor areas.
    - a. Generally. A common outdoor area of 2,500 square feet in area or 100 square feet per unit, whichever is greater, is required. There may be more than one outdoor area and each must be at least 2,500 square feet. Required common open areas must be available for the use of all park residents. The open area(s) must be landscaped to at least the L1 standard or be developed as a playground for children, or a combination of both options.
    - b. Exemption. A manufactured dwelling park that does not accommodate children who are under 14 years of age does not have to meet this requirement if the property owner executes a covenant with the City of Portland specifying that the manufactured dwellings will not accommodate children under 14 years of age. The covenant must comply with the requirements of 33.700.060, Covenants with the City.

4. Trees. The City Forester may require trees along all public or private streets and driveways which serve two or more manufactured dwelling spaces, within a manufactured dwelling park as provided in 20.40, Street Tree and Other Public Tree Regulations.
5. Other structures. Other structures within the manufactured dwelling park for uses accessory to the operation of the manufactured dwelling park, such as laundries, storage, garages, park offices, and recreational facilities are allowed and are subject to the site development regulations of the base zone. Any accessory use that draws its trade from outside the park is prohibited. These structures may not be located within common outdoor areas.

#### **H. Vehicle and pedestrian circulation and parking.**

1. Vehicle areas, access, and circulation.
  - a. Access and circulation within the manufactured dwelling park may be provided by streets, public or private, or driveways. All public streets must be approved by the City Engineer. All private streets, private alleys, and driveways must meet the standards of the Oregon Manufactured Dwelling and Park Specialty Code for Manufactured Dwelling Parks, which supersede the requirements of this Title. Circulation plans for manufactured dwelling parks must be approved by the Fire Bureau and Office of Transportation.
  - b. Vehicle areas. Where the site abuts a street that is not part of the site, the standard of 33.266.130.C.3.a must be met.
2. Pedestrian circulation.
  - a. A pedestrian circulation system must connect each space with the internal street or driveway system, to other areas of the site, such as parking areas, recreational areas, and to adjacent streets.
  - b. The pedestrian circulation system must be at least 4 feet wide and hard-surfaced. Where the pedestrian system crosses driveways or parking areas, it must be clearly identifiable through the use of elevation changes, speed bumps, a different paving material, or other similar method. Striping does not meet this requirement. Elevation changes and speed bumps must be at least 4 inches high.
  - c. Where the system is parallel and adjacent to an auto travel lane, the system must be a raised path or be separated from the auto travel lane by a raised curb, bollards, landscaping or other physical barrier. If a raised path is used, it must be at least 4 inches high and the ends of the raised portions must be equipped with curb ramps. Bollard spacing must be no further apart than 5 feet on center.
  - d. The on-site pedestrian circulation system must be lighted to a level where the system can be used at night by residents.
3. Parking. Parking must be provided in conformance with the parking regulations of the Oregon Manufactured Dwelling and Park Specialty Code for Manufactured Dwelling Parks, which supersede the requirements of this Title.

**I. Individual manufactured dwelling space requirements.**

1. Minimum size. Spaces for manufactured dwellings must be a minimum of 30 feet in width and a minimum of 40 feet in depth.
2. Access. Each space must have access to a street or driveway that meets the standards of the Oregon Manufactured Dwelling and Park Specialty Code for Manufactured Dwelling Parks.
3. Other regulations. All manufactured dwelling parks must meet all building, sanitation, lighting, plumbing, and fire protection standards.

**J. Nonconforming manufactured dwelling parks.** Existing manufactured dwelling parks may be subject to the regulations of Chapter 33.258, Nonconforming Uses and Development. Listed below are situations where the manufactured dwelling park is given nonconforming status.

1. Existing manufactured dwelling parks in E and I zones, except the EX zone, are nonconforming uses because residential uses are not allowed.
2. Existing manufactured dwelling parks in RF, R20, R10, R7, R5, R2.5, R1, RH, RX, C, and IR zones are nonconforming developments, because residential uses are allowed but manufactured dwelling parks are not an allowed type of development.
3. Existing manufactured dwelling parks may have nonconforming densities and development depending on the standards of the base zone.
4. Existing manufactured dwelling parks in the R2 and R3 zones may have nonconforming densities and/or development depending on individual situations.



**CHAPTER 33.460**  
**MAIN STREET CORRIDOR OVERLAY ZONE**

(Added by Ord. No. 174325, effective 5/5/00. Amended by: Ord. No. 178452, effective 7/10/04;  
Ord. No. 179925, effective 3/17/06; Ord. No. 181357, effective 11/9/07; Ord. No.  
182429, effective 1/16/09; Ord. No. 182474, effective 2/13/09.)  
(Previously, Natural Resource Zone, repealed by Ord. No. 163770, effective 2/8/91,  
and replaced by Chapter 33.435, Future Urban Zone.)

Sections:

General

- 33.460.010 Purpose
- 33.460.020 Short Name and Map Symbol
- 33.460.030 Where These Regulations Apply
- 33.460.040 Building Coverage

North Lombard Regulations

- 33.460.100 Additional Regulations in the CN1 Zone
- 33.460.110 Additional Standards in the R1 Zone
- 33.460.120 Minimum Density in the R1 Zone

Sandy Boulevard Regulations

- 33.460.200 Bonus Building Height
- 33.460.210 Transition Between Residential and Commercial Zones
- 33.460.220 On-Site Location of Vehicle Areas Along Sandy Boulevard in the CS Zone
- 33.460.230 Building Facades Facing Sandy Boulevard
- 33.460.240 Required Design Review

Division Street Regulations

- 33.460.300 Purpose
- 33.460.310 Additional Standards

**General**

**33.460.010 Purpose**

These regulations encourage higher density residential uses by allowing greater building heights, reducing required building coverage for residential development; and allowing more flexibility in site design. The intent of the zone is to provide transit-supportive levels of residential and mixed-use development along identified main streets.

**33.460.020 Short Name and Map Symbol**

The Main Street Corridor Overlay Zone is also referred to as the m zone, and is shown on the Official Zoning Maps with an "m" map symbol.

**33.460.030 Where These Regulations Apply**

The regulations of this chapter apply to sites in the Main Street Corridor Overlay Zone. Sections 33.460.010 through 33.460.040 apply to all sites in this overlay zone. Sections 33.460.100 through 33.460.120 apply to sites with frontage on North Lombard. Sections 33.460.200 through 33.460.240 apply to sites with frontage on Sandy Boulevard. Sections 33.460.300 through 33.460.310 apply to sites with frontage on Division Street.

### **33.460.040 Building Coverage**

On sites in the CS zone, where 100 percent of the floor area of a building is in residential uses, the minimum building coverage is reduced to 40 percent.

#### **North Lombard Regulations**

### **33.460.100 Additional Regulations in the CN1 Zone**

- A. Purpose.** These regulations encourage residential mixed use development and housing, in addition to small scale commercial development along sections of North Lombard Street to foster a transit-oriented main street environment. Size of uses are specified to promote commercial uses along the main street that serve a local market area, while limiting their potential impacts on residential uses. Parking standards for the CN1 zone are revised to provide adequate parking opportunity for development along a main street.
- B. Where these regulations apply.** These regulations apply to sites in the CN1 zone.
- C. Floor area for Retail Sales And Service and Office uses.** Each individual use is limited to 10,000 square feet of total floor area exclusive of parking areas.
- D. Maximum allowed parking.** The maximum allowed parking in the CN1 zone is Standard B in Table 266-2.
- E. Bonus option for housing.** Proposals providing housing receive bonus floor area. Where floor area is being added to a site, and at least 25 percent of the new floor area will be in residential use, a bonus of 0.25 FAR is earned for non-residential uses on the site. Proposals using this bonus are subject to the following development standards:
1. Height. The maximum building height is 45 feet.
  2. The maximum FAR for non-residential uses is 1:1. Adjustments to this maximum are prohibited.

### **33.460.110 Additional Standards in the R1 Zone**

- A. Purpose.** These standards ensure that development of sites with the potential for medium density development along or adjacent to the main street:
- contributes positively to established neighborhoods and the area's character;
  - creates a strong physical and visual connection between the living area and the street, and the main entrance and the street; and
  - improves the transition between development in the commercial and single-dwelling zone areas.
- B. Where these standards apply.** The standards of this section apply to duplexes, attached houses, and multi-dwelling structures in the R1 zone.
- C. Adjustments.** Adjustments may be requested to these standards; they may not be modified through design review.



**D. Standards.**

1. Community design standards. The following standards of Section 33.218.110, Community Design Standards for Primary and Attached Accessory Structures in the R3, R2, and R1 Zones, must be met:
  - a. 110.E, Large building elevations divided into smaller areas;
  - b. 110.G.1, Location of main entrance;
  - c. 110.H.4, Attached garages; and
  - d. 110.J.1, Exterior finish materials.
2. At least 15 percent of the street-facing façade must be windows. Windows used to meet this standard must allow views from the building to the street. Glass block does not meet this standard. Windows in garage doors do not count toward meeting this standard, but windows in garage walls do count toward meeting this standard. Development on flag lots or on lots that slope up or down from the street with an average slope of 20 percent or more is exempt from this standard.
3. Corner lots with alley access. If the site is a corner lot that is adjacent to an alley, access for motor vehicles must be from the alley.

**33.460.120 Minimum Density in the R1 Zone**

- A. Purpose.** Reducing the minimum density on small lots in the R1 zone provides flexibility for development of a broad range of dwelling types.
- B. Standard.** On lots less than 10,000 square feet in the R1 zone, the minimum density is 1 unit per 2,250 square feet of site area. This standard does not apply on corner lots.

**Sandy Boulevard Regulations**

**33.460.200 Bonus Building Height**

Bonus building height up to 65 feet is allowed as stated in Subsections A and B, except as provided in Subsection 33.460.210.B:

- A. Additions to existing buildings.** Where floor area that is in residential uses is added to an existing building, the portion of the building containing residential uses may extend above the height limit. However, the maximum height allowed for the entire building is 65 feet.
- B. New buildings.** Where at least 25 percent of the floor area of a new building is in residential uses, the maximum building height is 65 feet.

**33.460.210 Transition Between Residential and Commercial Zones**

- A. Purpose.** These regulations ensure a landscaping treatment along commercial lot lines that face, but are across the street from a single-dwelling residential zone. In addition, the regulations prevent large blank walls above the ground floor from

facing residential sites across a street and ensure that building heights reduce to relate to adjoining single-dwelling zones.

**B. Height Limits for sites abutting or across the street from RF - R1 zones.** Sites in commercial zones abutting or across the street from RF through R1 zones have special height limits that create a transition to the residential zone. These height limits are as follows:

1. Sites abutting RF - R1 zones. Properties abutting RF through R1 zones have height limits that decrease in two steps near the residential zone. (See Figure 460-1.) These height limits are:
  - a. On the portion of a site within 25 feet of a site zoned RF through R1, the maximum building height is the same as the abutting residential zone.
  - b. On the portion of a site that is more than 25 feet but within 50 feet of a site zoned RF through R1, the maximum building height is 45 feet.
2. Sites across a street from RF - R1 zones. Sites across a street from RF through R1 zones have height limits that decrease near the residential zone. On the portion of the site within 15 feet of the lot line facing a site zoned RF through R1, the maximum building height is the same as the residential zone. (See Figure 460-2.)

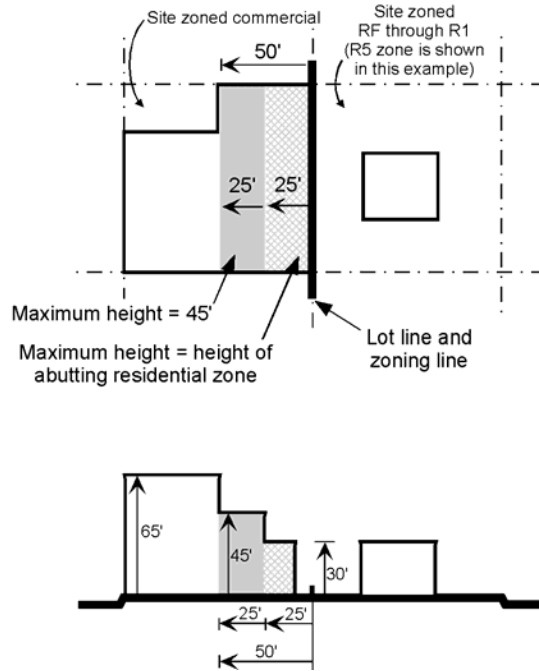
**C. Lot lines across the street and within 50 feet of a RF - R2.5 zone.** Sites across the street and within 50 feet of RF through R2.5 zones must meet the following:

1. Along frontages that face RF through R2.5 zones, there must be a 5 foot deep landscaped area, which complies with at least the L2 standard as stated in Chapter 33.248, Landscaping and Screening. If all frontages of the site are within 50 feet of RF through R2.5 zones, then one frontage is exempt from this standard.
2. Building facades facing residential zones must include windows. The windows must cover at least 15 percent of the area of the façade above the ground level. This requirement is in addition to any required ground floor windows.

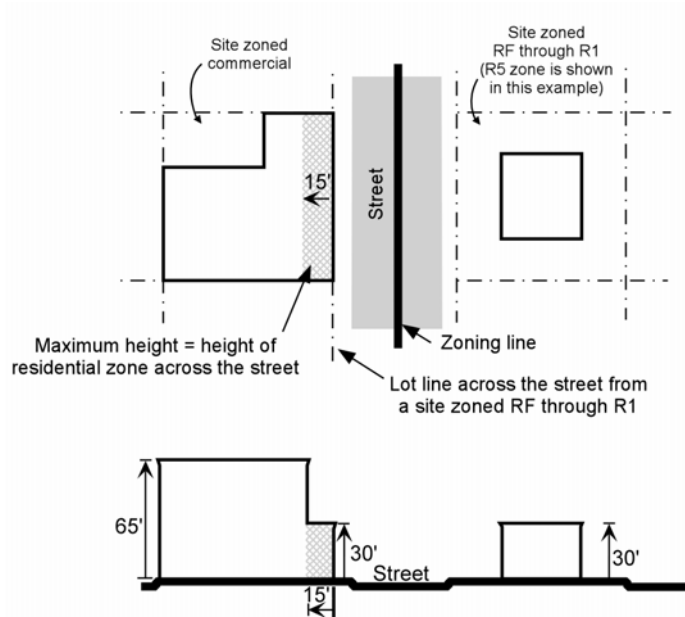
#### **33.460.220 On-Site Location of Vehicle Areas Along Sandy Boulevard in the CS Zone**

- A. Purpose.** These regulations maintain a pedestrian-friendly environment along Sandy Boulevard while providing sites with diagonal frontages along Sandy Boulevard flexibility in site design.
- B. Where these regulations apply.** These regulations apply to sites with frontage along Sandy Boulevard in the CS zone.
- C. On-site location of vehicle areas.** Vehicle areas are prohibited between the building and Sandy Boulevard. Vehicle areas are not allowed between the building and other transit street frontages.

**Figure 460-1**  
**Height limits on sites abutting RF - R1 zones**

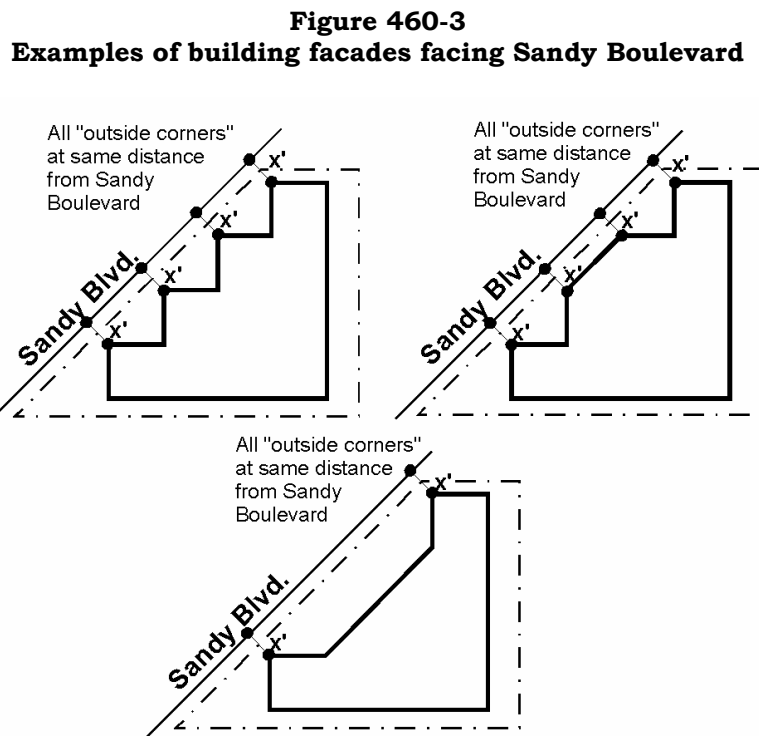


**Figure 460-2**  
**Height limits on sites across a street from RF - R1 zones**



### 33.460.230 Building Facades Facing Sandy Boulevard

- A. Purpose.** These regulations ensure that new development reinforces the unique diagonal geometry of sites adjacent to Sandy Boulevard.
- B. Where these regulations apply.** These regulations apply to sites with frontage along Sandy Boulevard.
- C. Building facades facing Sandy Boulevard.** The exterior walls of the building that can be seen from the Sandy Boulevard lot line must be either:
  - 1. Parallel to Sandy Boulevard; or
  - 2. In a series of stepped facades at an angle to Sandy Boulevard in which all outside building corners are the same distance from Sandy Boulevard, as shown in Figure 460-3.



### 33.460.240 Required Design Review

- A. Purpose.** These regulations ensure design quality and an attractive pedestrian-friendly character in the areas planned for urban scale development in the Main Street Corridor overlay. The regulations are also intended to promote a relationship between new development and older buildings that contribute to the personality of Sandy Boulevard.
- B. Where these regulations apply.** These regulations apply to sites in commercial zones.

- C. When design review is required.** Design review is required for new development and exterior alterations.
- D. When Community Design Standards may be used.** The community design standards provide an alternative process to design review for some proposals. For some proposals, the applicant may choose to go through the design review process set out in Chapter 33.825, Design Review, or to meet the objective standards of Chapter 33.218, Community Design Standards. Proposals that do not meet the Community Design Standards—or where the applicant prefers more flexibility—must go through the design review process.

Unless excluded by Subsection E, below, proposals that are within the limits of Table 460-1 may use the Community Design Standards as an alternative to design review.

- E. When Community Design Standards may not be used.** The Community Design Standards may not be used as an alternative to design review as follows:
1. For institutional uses in residential zones, unless specifically allowed by an approved Impact Mitigation Plan or Conditional Use Master Plan; and
  2. For alterations to sites where there is a nonconforming use, unless the nonconforming use is a residential use.

<b>Table 460-1 Maximum Limits for Use of the Community Design Standards [1]</b>	
<b>Zones</b>	<b>Maximum Limit—New Floor Area</b>
R1, RH, RX, C & E Zones	20,000 sq. ft. of floor area
I Zones	40,000 sq. ft. of floor area
IR Zone	See institution's Impact Mitigation Plan.
<b>Zones</b>	<b>Maximum Limit—Exterior Alterations</b>
All except IR	<ul style="list-style-type: none"> <li>•Alterations to the street-facing facade that affect less than 50 percent of the area of the façade, regardless of the square footage of the area affected; and</li> <li>•Alterations to the street-facing facade that affect less than 1,500 sq. ft. of the facade, regardless of the percentage of the facade affected.</li> </ul>
IR Zone	See institution's Impact Mitigation Plan.

Notes:

[1] There are no maximum limits for proposals where any of the floor area is in residential uses.

### **Division Street Regulations**

#### **33.460.300 Purpose**

These regulations promote development that fosters a pedestrian- and transit-oriented main street and reinforces the pattern of older industrial, commercial, and residential buildings along the street. These regulations ensure that development:

- Activates Division Street corners and enhances the pedestrian environment;
- Steps down building heights to reduce the negative impacts of larger scale buildings on the adjoining single-dwelling zones;
- Is constructed with high quality materials in combinations that are visually interesting;
- Consists of retail that primarily serves the surrounding neighborhood, is small in scale and promotes pedestrian activity; and

- Provides neighbors with the opportunity to give early input to developers on significant projects.

### **33.460.310 Additional Standards.**

**A. Reinforce the corner.** This standard applies to all sites where any of the floor area on the site is in nonresidential uses. Where a site abuts both Division Street and an intersecting street:

1. Setbacks. The requirements of Subparagraph 33.130.215.C.2.e, Setbacks in a Pedestrian District must be met;
2. Main entrance. For portions of a building within the maximum building setback, at least one main entrance for each tenant space must:
  - a. Be within 5 feet of the façade facing Division Street; and
  - b. Either:
    - (1) Face Division Street; or
    - (2) Be at an angle of up to 45 degrees from Division Street, measured from the street property line.
3. Surface parking areas are not allowed within 40 feet of the corner.

**B. Height limits for sites abutting R5 – R2.5 zones.**

1. Generally. If a site has frontage on Division Street, on the portion of a site within 25 feet of a site zoned R5 through R2.5, the maximum building height is 35 feet.
2. Exceptions.
  - a. Railings may extend up to 3-1/2 feet above the 35-foot height limit if the railing is set back at least 4 feet from all roof edges.
  - b. Walls or fences designed to provide visual screening between individual roof-top decks may extend up to 6 feet above the 35-foot height limit if the visual screen is set back at least 4 feet from all roof edges.

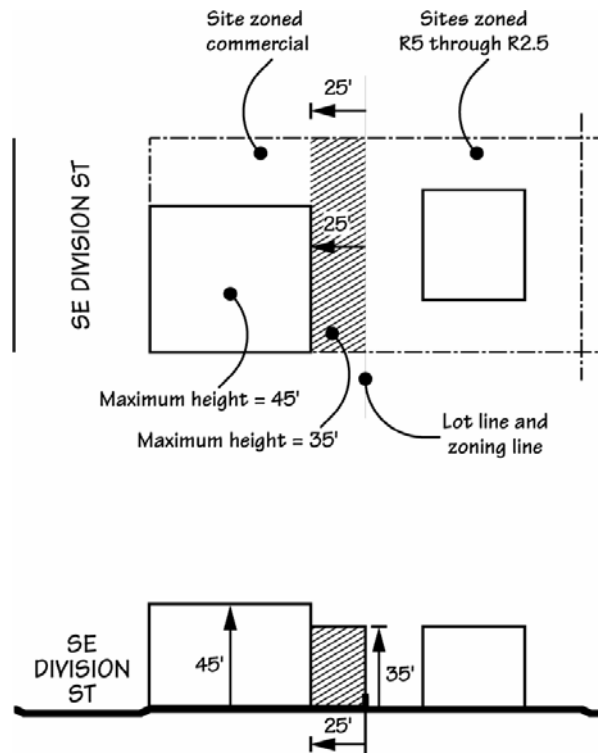
**C. Exterior finish materials.** Plain concrete, concrete block, corrugated metal, plywood and sheet pressboard are not allowed as exterior finish material, except as secondary finishes if they cover no more than 10 percent of the surface of each façade. This standard applies on all building façades. Items that are exempt from this standard are listed in Section 33.420.045, Exempt From Design Review.

**D. Floor area for Retail Sales And Service.**

1. Generally. Each individual Retail Sales And Service use is limited to 10,000 square feet of net building area.
2. Exceptions.
  - a. Supermarkets are exempt from this regulation.

- b. A Retail Sales And Service use may exceed 10,000 square feet if:
- (1) The building it is in had more than 10,000 square feet of floor area on March 17, 2006;
  - (2) The maximum floor area of that use on the ground level of the building is no more than 10,000 square feet;
  - (3) The total building floor area is no more than 120 percent of the floor area that existed on March 17, 2006; and
  - (4) the applicant must present the proposal to City Council before a building permit is applied for. The Council discussion is advisory only and is not binding on the applicant.

**Figure 460-4**  
**Height limits on sites abutting R5 - R2.5 zones**



- E. Neighborhood contact.** Proposals meeting the following conditions are subject to the neighborhood contact requirement as specified in section 33.700.025, Neighborhood Contact. All of the steps in 33.700.025 must be completed before a building permit is applied for:
1. The proposed development has not been subject to a land use review, and
  2. The proposed development will add more than 5,000 square feet of gross building area to the site, or will utilize the Retail Sales And Service exception of D.2.b above.





**CHAPTER 33.610**  
**LOTS IN RF THROUGH R5 ZONES**

(Added by: Ord. Nos. 175965 and 176333, effective 7/1/02. Amended by: Ord. No. 177422, effective 6/7/03; Ord. No. 177701, effective 8/30/03; Ord. No. 178657, effective 9/3/04; Ord. No. 179994, effective 4/22/06; Ord. No. 182429, effective 1/16/09.)

Sections:

- 33.610.010 Purpose
- 33.610.020 Where These Regulations Apply
- 33.610.100 Density Standards
- 33.610.200 Lot Dimension Regulations
- 33.610.300 Through Lots
- 33.610.400 Flag Lots
- 33.610.500 Split Zoned Lots

**33.610.010 Purpose**

This chapter contains the density and lot dimension requirements for approval of a Preliminary Plan for a land division in the RF through R5 zones. These requirements ensure that lots are consistent with the desired character of each zone while allowing lots to vary in size and shape provided the planned intensity of each zone is respected. This chapter works in conjunction with other chapters of this Title to ensure that land divisions create lots that can support appropriate uses and development.

**RF Through R5 Zones**

**33.610.020 Where These Regulations Apply**

The regulations of this chapter apply to land divisions in the RF through R5 zones.

**33.610.100 Density Standards**

- A. Purpose.** Density standards match housing density with the availability of services and with the carrying capacity of the land in order to promote efficient use of land, and maximize the benefits to the public from investment in infrastructure and services. These standards promote development opportunities for housing and promote urban densities in less developed areas. Maximum densities ensure that the number of lots created does not exceed the intensity planned for the area, given the base zone, overlay zone, and plan district regulations. Minimum densities ensure that enough dwelling units can be developed to accommodate the projected need for housing.
- B. Generally.** The method used to calculate density depends on whether a street is created as part of the land division. As used in this chapter, creation of a street means a full street on the site, creating the first stage of a partial width street on the site, or extending an existing street onto the site. It does not include additional stages of a partial width street, or dedicating right-of-way to widen an existing right-of-way.

**C. No street created.** Where no street will be created as part of the land division, the following maximum and minimum density standards apply. Adjustments to this subsection are prohibited:

1. Maximum density. Maximum density is based on the zone and the size of the site. The following formula is used to determine the maximum number of lots allowed on the site:

$$\begin{aligned} & \text{Square footage of site;} \\ & \quad \div \text{Maximum density from Table 610-1;} \\ & \quad = \text{Maximum number of lots allowed.} \end{aligned}$$

2. Minimum density. Minimum density is based on the zone and size of the site, and whether there are physical constraints. The following formula is used to determine the minimum number of lots required on the site. Exceptions to minimum density are allowed under the provisions of Subsection 33.610.100.E:

$$\begin{aligned} & \text{Square footage of site;} \\ & \quad - \text{Square footage of site within an environmental overlay zone, potential} \\ & \quad \quad \text{landslide hazard area, or flood hazard area;} \\ & \quad \quad \times 0.80; \\ & \quad \quad \div \text{Maximum density from Table 610-1;} \\ & \quad \quad = \text{Minimum number of lots required.} \end{aligned}$$

**D. Street created.** Where a street will be created as part of the land division, the following maximum and minimum density standards apply. Adjustments to this subsection are prohibited:

1. Maximum density. Maximum density is based on the zone, the size of the site and whether a street is being created. The following formula is used to determine the maximum number of lots allowed on the site:

$$\begin{aligned} & \text{Square footage of site;} \\ & \quad \times 0.85; \\ & \quad \quad \div \text{Maximum density from Table 610-1;} \\ & \quad \quad = \text{Maximum number of lots allowed.} \end{aligned}$$

2. Minimum density. Minimum density is based on the zone, the size of the site, whether there are physical constraints, and whether a street is being created. The following formula is used to determine the minimum number of lots required on the site. Exceptions to minimum density are allowed under the provisions of Subsection 33.610.100.E:

$$\begin{aligned} & \text{Square footage of site} \\ & \quad - \text{Square footage of site within an environmental overlay zone, potential} \\ & \quad \quad \text{landslide hazard area, or flood hazard area;} \\ & \quad \quad \times 0.68 \\ & \quad \quad \div \text{Maximum density from Table 610-1} \\ & \quad \quad = \text{Minimum number of lots required.} \end{aligned}$$

**E. Exceptions to minimum density.** Exceptions to minimum density standards are allowed in the following situations. Adjustments to this subsection are prohibited:

1. If the minimum required density is equal to the maximum allowed density, then the minimum is automatically reduced by one;

2. If the minimum required density is larger than the maximum allowed density, then the minimum density is automatically reduced to one less than the maximum;
3. The portion of the site that has a conditional use or Conditional Use Master Plan is not included in the site for calculations of minimum density.

<b>Table 610-1 Maximum Density Standards</b>					
	<b>RF</b>	<b>R20</b>	<b>R10</b>	<b>R7</b>	<b>R5</b>
Maximum Density	1 unit per 87,120 sq. ft.	1 unit per 20,000 sq. ft.	1 unit per 10,000 sq. ft.	1 unit per 7,000 sq. ft.	1 unit per 5,000 sq. ft.

**33.610.200 Lot Dimension Regulations**

Lots in the RF through R5 zones must meet the lot dimension regulations of this section.

**A. Purpose.** The lot dimension regulations ensure that:

- Each lot has enough room for a reasonably-sized house and garage;
- Lots are of a size and shape that development on each lot can meet the development standards of the zoning code;
- Lots are not so large that they seem to be able to be further divided to exceed the maximum allowed density of the site in the future;
- Each lot has room for at least a small, private outdoor area;
- Lots are compatible with existing lots;
- Lots are wide enough to allow development to orient toward the street;
- Lots don't narrow to an unbuildable width close to the street
- Each lot has adequate access from the street;
- Each lot has access for utilities and services; and
- Lots are not landlocked.

<b>Table 610-2 Lot Dimension Standards</b>					
	<b>RF</b>	<b>R20</b>	<b>R10</b>	<b>R7</b>	<b>R5</b>
Minimum Lot Area	52,000 sq. ft.	12,000 sq. ft.	6,000 sq. ft.	4,200 sq. ft.	3,000 sq. ft.
Maximum Lot Area	151,000 sq. ft.	34,500 sq. ft.	17,000 sq. ft.	12,000 sq. ft.	8,500 sq. ft.
Minimum Lot Width	60 ft.[1]	60 ft.[1]	50 ft.[1]	40 ft.[1]	36 ft.[1]
Minimum Front Lot Line	30 ft.	30 ft.	30 ft.	30 ft.	30 ft.
Minimum Lot Depth	60 ft.	60 ft.	60 ft.	55 ft.	50 ft.

Notes:

[1] See 33.930.100.A for how lot width is measured.

**B. Minimum lot area.** Each lot must meet the minimum lot area standard stated in Table 610-2. Lots that do not meet the minimum lot area standard may be requested through Planned Development Review. Adjustments are prohibited.

**C. Maximum lot area.** Lots larger than the maximum lot area standards stated in Table 610-2 are not allowed. Lots with a conditional use or Conditional Use Master Plan are exempt from this standard.

**D. Minimum lot width.** Each lot must meet one of the following regulations. Lots that do not meet these regulations may be requested through Planned Development Review. Adjustments to the regulations are prohibited.

1. Each lot must meet the minimum lot width standard stated in Table 610-2; or
2. Minimum lot width may be reduced below the dimensions stated in Table 610-2, if all of the following are met:
  - a. On balance, the proposed lots will have dimensions that are consistent with the purpose of the Lot Dimension Regulations;
  - b. The minimum width for lots that will be developed with detached houses may not be reduced below 25 feet;
  - c. If the lot abuts a public alley, then vehicle access must be from the alley. This requirement will be imposed as a condition of approval of the land division;
  - d. Lots must be configured so that development on the site will be able to meet the garage limitation standard of Subsection 33.110.253.E at the time of development;
  - e. Lots that will be developed with attached houses must be configured so that 60 percent of the area between the front lot line and the front building line can be landscaped at the time of development; and
  - f. In areas where parking is not required by this Title, lots may be proposed that will not accommodate on-site vehicle access and parking. Such lots do not have to meet the requirements of subparagraphs 2.c and d. As a condition of approval of the land division, the property owner must execute a covenant with the city. The covenant must:
    - (1) State that the owner will develop the property without parking, and that a driveway for access to on-site parking may not be created in the future, unless it is in conformance with regulations in effect at the time;
    - (2) Meet the requirements of Section 33.700.060, Covenants with the City; and
    - (3) Be attached to, and recorded with the deed for the new lot.

**E. Minimum front lot line.** Each lot must have a front lot line that meets the minimum front lot line standard stated in Table 610-2. Lots that are created under the provisions of Paragraph D.2 above, may reduce the front lot line to equal the width of the lot. Lots that do not meet the minimum front lot line standard may be requested through Planned Development Review. Adjustments to this standard are prohibited.

**F. Minimum lot depth.** Each lot must meet the minimum lot depth standard stated in Table 610-2. Lots that do not meet the minimum lot depth standard may be requested through Planned Development Review. Adjustments to this standard are prohibited.

### 33.610.300 Through Lots

- A. Purpose.** This standard ensures that lots are configured in a way that development can be oriented toward streets to increase the safety and enjoyment of pedestrians and bicyclists. The standard also ensures that development does not “turn its back” on a collector or major city traffic street.
- B. Standard.** Through lots are allowed only where both front lot lines are on local service streets. The minimum front lot line and minimum width standards apply to one frontage of the through lot.

### 33.610.400 Flag Lots

The following regulations apply to flag lots in the RF through R5 zones:

- A. Purpose.** These regulations allow the creation of flag lots in limited circumstances. The limitations minimize the negative impacts of flag lots and additional driveways on an area while allowing land to be divided when other options are not achievable.
- B. When a flag lot is allowed.** A flag lot is allowed only when the following are met:
  - 1. One of the following are met:
    - a. An existing dwelling unit or attached garage on the site is located so that it precludes a land division that meets the minimum lot width standard of Paragraph 33.610.200.D.1. The dwelling unit and attached garage must have been on the site for at least five years; or
    - b. The site has dimensions that preclude a land division that meets the minimum lot width standard of Paragraph 33.610.200.D.1;
  - 2. Up to three lots are proposed, only one of which is a flag lot; and
  - 3. Minimum density requirements for the site will be met.
- C. Flag lot access pole.** The pole portion of the flag lot must meet the following standards. Adjustments are prohibited:
  - 1. The pole must connect to a street;
  - 2. The pole must be at least 12 feet wide for its entire length; and
  - 3. The pole must be part of the flag lot and must be under the same ownership as the flag portion.
- D. Minimum lot area.** Only the area of the flag portion is included when calculating the minimum lot area. The area of the pole portion of the lot is not included.
- E. Minimum lot dimensions.**
  - 1. Flag lots are exempt from the minimum front lot line standard.
  - 2. The minimum lot width and minimum lot depth required for each flag lot is 40 feet.

3. For the purposes of this subsection width and depth are measured at the midpoints of the opposite lot lines of the flag portion of the lot. All other lot dimension standards must be met.

**F. Vehicle access.** Where it is practical, vehicle access must be shared between the flag lot and the lots between the flag portion of the lot and the street. Factors that may be considered include the location of existing garages, driveways, and curb cuts, stormwater management needs, and tree preservation. Access easements may be used.

### **33.610.500 Split Zoned Lots**

- A. Purpose.** This standard ensures that lots do not have more than one zone. Lots that are split by more than one zone present practical problems related to the applicability of use and development standards.
- B. Standard.** On sites with more than one base zone, each lot must be entirely within one zone. The creation of lots that are in more than one zone is not allowed.

**CHAPTER 33.611**  
**LOTS IN THE R2.5 ZONE**

(Added by: Ord. Nos. 175965 and 176333, effective 7/1/02. Amended by: Ord. No. 177701, effective 8/30/03; Ord. No. 178172, effective 3/5/04; Ord. No. 178657, effective 9/3/04; Ord. No. 182429, effective 1/16/09.)

Sections:

- 33.611.010 Purpose
- 33.611.020 Where These Regulations Apply
- 33.611.100 Density Standards
- 33.611.200 Lot Dimension Regulations
- 33.611.300 Through Lots
- 33.611.400 Flag Lots
- 33.611.500 Split Zoned Lots

**33.611.010 Purpose**

This chapter contains the density and lot dimension requirements for approval of a Preliminary Plan for a land division in the R2.5 zone. These requirements ensure that lots are consistent with the desired character of the zone while allowing lots to vary in size and shape provided the planned intensity of the zone is respected. This chapter works in conjunction with other chapters of this Title to ensure that land divisions create lots that can support appropriate structures in accordance with the planned intensity of the R2.5 zone.

**33.611.020 Where These Regulations Apply**

The regulations of this chapter apply to land divisions in the R2.5 zone.

**33.611.100 Density Standards**

- A. Purpose.** Density standards match housing density with the availability of public services and with the carrying capacity of the land in order to promote efficient use of land, and maximize the return on public investments in infrastructure and services. These standards promote development opportunities for housing and promote urban densities in less developed areas. Maximum densities ensure that the number of lots created does not exceed the intensity planned for the area, given applicable base zone, overlay zone, and plan district regulations. Minimum densities ensure that enough dwelling units can be developed to accommodate the projected need for housing.
- B. Generally.** The method used to calculate density depends on whether a street is created as part of the land division. As used in this chapter, creation of a street means a full street on the site, creating the first stage of a partial width street on the site, or extending an existing street onto the site. It does not include additional stages of a partial width street, or dedicating right-of-way to widen an existing right-of-way.
- C. No street created.** Where no street will be created as part of the land division, the following maximum and minimum density standards apply. Adjustments to this subsection are prohibited.

1. Maximum density. Maximum density is based on the zone and the size of the site. The following formula is used to determine the maximum number of lots allowed on the site:

$$\begin{aligned} & \text{Square footage of site;} \\ & \div 2,500; \\ & = \text{Maximum number of lots allowed.} \end{aligned}$$

2. Minimum density. Minimum density is based on the zone and the size of the site and whether there are physical constraints. The following formula is used to determine the minimum number of lots required on the site. Exceptions to minimum density are allowed under the provisions of 33.611.100.E:

$$\begin{aligned} & \text{Square footage of site;} \\ & - \text{Square footage of site within an environmental overlay zone,} \\ & \quad \text{landslide hazard area, or flood hazard area;} \\ & \quad \times 0.80; \\ & \div 5,000; \\ & = \text{Minimum number of lots required.} \end{aligned}$$

**D. Street created.** Where a street will be created as part of the land division, the following maximum and minimum density standards apply. Adjustments to this subsection are prohibited.

1. Maximum density. Maximum density is based on the zone, the size of the site and whether a street is being created. The following formula is used to determine the maximum number of lots allowed on the site:

$$\begin{aligned} & \text{Square footage of site;} \\ & \quad \times 0.85; \\ & \quad \div 2,500; \\ & = \text{Maximum number of lots allowed.} \end{aligned}$$

2. Minimum density. Minimum density is based on the zone, the size of the site, whether there are physical constraints and whether a street is being created. The following formula is used to determine the minimum number of lots required on the site. Exceptions to minimum density are allowed under the provisions of 33.611.100.E:

$$\begin{aligned} & \text{Square footage of site} \\ & - \text{Square footage of site within an environmental overlay zone, landslide} \\ & \quad \text{hazard area, or flood hazard area;} \\ & \quad \times 0.68 \\ & \quad \div 5,000; \\ & = \text{Minimum number of lots required.} \end{aligned}$$

**E. Exceptions to minimum density.** Exceptions to minimum density standards are allowed in the following situations:

1. If minimum density is equal to maximum density, then the minimum is automatically reduced by one;
2. If minimum density is larger than maximum density then the minimum is reduced to one less than the maximum;
3. The portion of the site that has a conditional use or Conditional Use Master Plan is not included in the site for calculations of minimum density.



### **33.611.200 Lot Dimension Regulations**

Lots in the R2.5 zone must meet the lot dimension regulations of this section. Lots that do not meet these regulations may be requested through Planned Development Review. Adjustments to the regulations are prohibited.

**A. Purpose.** The lot dimension regulations ensure that:

- Each lot has enough room for a reasonably-sized attached or detached house;
- Lots are of a size and shape that development on each lot can meet the development standards of the R2.5 zone;
- Lots are not so large that they seem to be able to be further divided to exceed the maximum allowed density of the site in the future;
- Each lot has room for at least a small, private outdoor area;
- Lots are wide enough to allow development to orient toward the street;
- Each lot has access for utilities and services;
- Lots are not landlocked;
- Lots don't narrow to an unworkable width close to the street; and
- Lots are compatible with existing lots while also considering the purpose of this chapter;

**B. Minimum lot area.** Each lot must be at least 1,600 square feet in area.

**C. Minimum lot width.** Each lot must meet one of the following regulations. Lots that do not meet these regulations may be requested through Planned Development Review. Adjustments to the regulations are prohibited.

1. Each lot must be at least 36 feet wide; or
2. Minimum lot width may be reduced below 36 feet, if all of the following are met:
  - a. On balance, the proposed lots will have dimensions that are consistent with the purpose of this section;
  - b. The minimum width for lots that will be developed with detached houses may not be reduced below 25 feet;
  - c. If the lot abuts a public alley, then vehicle access must be from the alley. This requirement will be imposed as a condition of approval of the land division;
  - d. Lots must be configured so that development on the site will be able to meet the garage limitation standard of Subsection 33.110.253.E, at the time of development;
  - e. Lots that will be developed with attached houses must be configured so that 60 percent of the area between the front lot line and the front building line can be landscaped at the time of development; and
  - f. In areas where parking is not required by this Title, lots may be proposed that will not accommodate onsite vehicle access and parking. Such lots do not have to meet the requirements of subparagraphs 2.c and d. As a condition of approval of the land division, the property owner must execute a covenant with the city. The covenant must:

- (1) State that the owner will develop the property without parking, and that a driveway for access to on-site parking may not be created in the future, unless it is in conformance with regulations in effect at the time;
  - (2) Meet the requirements of Section 33.700.060, Covenants with the City; and
  - (3) Be attached to, and recorded with the deed for the new lot.
- D. Minimum front lot line.** Each lot must have a front lot line that is at least 30 feet long. Lots that are created under the provisions of Paragraph .C.2. above, may reduce the front lot line to equal the width of the lot.
- E. Minimum lot depth.** Each lot must be at least 40 feet deep.

### 33.611.300 Through Lots

- A. Purpose.** This standard ensures that lots are configured in a way that development can be oriented toward streets, including local, collector and traffic streets, to increase the safety and enjoyment of pedestrians and bicyclists. The standard also ensures that development does not turn its back on a collector or traffic street.
- B. Standard.** Through lots are allowed only where both front lot lines are on local service streets. The minimum front lot line and minimum width standards apply to one frontage of the through lot.

### 33.611.400 Flag Lots

The following regulations apply to flag lots in the R2.5 zones:

- A. Purpose.** These regulations allow the creation of flag lots in limited circumstances. The limitations minimize the negative impacts of flag lots and additional driveways on an area while allowing land to be divided when other options are not achievable.
- B. When a flag lot is allowed.** A flag lot is allowed only when the following are met:
1. One of the following are met:
    - a. An existing dwelling unit or attached garage on the site is located so that it precludes a land division that meets the minimum lot width standard of Paragraph 33.611.200.C.1. The dwelling unit and attached garage must have been on the site for at least five years; or
    - b. The site has a width of less than 50 feet if two lots are proposed and a width of less than 75 feet if three lots are proposed.
  2. Up to three lots are proposed, only one of which is a flag lot; and
  3. Minimum density requirements for the site will be met.
- C. Flag lot access pole.** The pole portion of the flag lot must meet the following standards. Adjustments are prohibited:
1. The pole must connect to a street;

2. The pole must be at least 12 feet wide for its entire length; and
3. The pole must be part of the flag lot and must be under the same ownership as the flag portion.

**D. Minimum lot area.** Only the area of the flag portion is included when calculating the minimum lot area. The area of the pole portion of the lot is not included.

**E. Lot dimensions.**

1. Flag lots are exempt from the minimum front lot line standard.
2. The minimum lot width and minimum lot depth required for each flag lot is 40 feet.
3. For the purposes of this subsection, width and depth are measured at the midpoints of the opposite lot lines of the flag portion of the lot. All other lot dimension standards must be met.

**F. Vehicle access.** Where it is practical, vehicle access must be shared between the flag lot and the lots between the flag portion of the lot and the street. Factors that may be considered include the location of existing garages, driveways, and curb cuts, stormwater management needs, and tree preservation. Access easements may be used.

**33.611.500 Split Zoned Lots**

**A. Purpose.** This standard ensures that lots do not have more than one zone. Lots that are split by more than one zone present practical problems related to the applicability of use and development standards.

**B. Standard.** On sites with more than one base zone, each lot must be entirely within one zone. The creation of lots that are in more than one zone is not allowed.



**CHAPTER 33.670**  
**REVIEW OF LAND DIVISIONS OF MANUFACTURED DWELLING PARKS**

(Added by: Ord. No. 177422, effective 6/7/03. Amended by: Ord. No. 179980, effective 4/22/06;  
Ord. No. 182429, effective 1/16/09.)

Sections:

General

- 33.670.010 Purpose
- 33.670.020 Where These Regulations Apply
- 33.670.030 Application Requirements

Review of Preliminary Plan

- 33.670.110 Review Procedures
- 33.670.130 Approval Criteria

Review of Final Plat

- 33.670.210 Review Procedure
- 33.670.215 Voiding of Final Plat Application
- 33.670.220 Approval Standards

Review of Changes to an Approved Preliminary Plan

- 33.670.300 Review Procedures
- 33.670.310 Approval Criteria

Changes to Final Plat

- 33.670.400 Changes to Final Plat Before Recording
- 33.670.410 Changes to Final Plat After Recording

**General**

**33.670.010 Purpose**

These regulations assign each phase of a land division request to an appropriate procedure type for review, and establish standards for each phase and each review.

**33.670.020 Where These Regulations Apply**

The regulations of this chapter apply to proposals for land divisions of manufactured dwelling parks that existed on July 1, 2001. The regulations apply in all zones. Sites with manufactured dwelling parks are eligible to use the regulations and procedures of chapter 33.660 through 33.665 instead of the regulations and procedures of this chapter. The applicant may choose which chapter to use.

**33.670.030 Application Requirements**

A complete application for a land division of a manufactured dwelling park under the provisions of this chapter consists of the materials listed below. The Director of BDS may waive items listed if they are not applicable. The applicant is responsible for the accuracy of all information submitted with the request. At least one copy of each plan/map submitted with the application must be 8-1/2 by 11 inches in size, and be suitable for reproduction.

**A. Preliminary Plan.** An application for Preliminary Plan must include all of the following:

1. Application form. Three copies of the completed application form bearing an accurate legal description, tax account numbers and location of the site. The

application must include the name, address, telephone number, and signature of the applicant and all property owners, and the nature of the applicant's interest in the site;

2. Written statement. Two copies of a written statement that includes the following:
  - A complete list of all land use reviews requested;
  - A complete description of the proposal including site layout and circulation, natural features, existing and proposed development and uses, and changes to the site or existing buildings;
  - A description of how all approval standards are met;
  - Additional information needed to understand the proposal;
  - Names and addresses of land division designer or engineer and surveyor;
  - Proposed maintenance agreements or Conditions, Covenants and Restrictions; and
  - If more than 3 lots are proposed, the proposed name of the land division;
  - Proposed names of all streets
3. Vicinity map. Three copies of a vicinity map. The map must cover an area extending at least 200 feet in each direction from the land division site, and show the following existing conditions for both the site and the vicinity:
  - Streets;
  - Pedestrian and bicycle facilities and connections; and
  - Location of utilities and services;
4. Copies of the proposed land division, drawn to scale and of a format, material, and number acceptable to the Director of BDS. The required information may be grouped on several maps. The location of items not required to be surveyed must be accurately shown on the maps. The proposed land division maps must include the following information:
  - a. Surveyed information:
    - Boundary lines of the site with dimensions and total site area;
    - Proposed lot layout with sizes, dimensions, and lot and block numbers;
    - Proposed tract layout with sizes, dimensions, purpose, and name;
    - Proposed layout and widths of all rights-of-way including dimensioning and roadway width;
    - Dimensions of proposed right-of-way dedications, including those to be added to existing rights-of-way;
    - Proposed location, dimensions, and purpose of all easements;
    - North arrow and scale of map;
    - Identification as the Preliminary Plan Map;
    - Stamp of surveyor;
    - If more than 3 lots are proposed, the proposed name of the land division;
    - Existing development, including dimensions and distances to property lines. Structures and facilities to remain must be identified; and
    - Location and dimensions of existing driveways, curb cuts, and sidewalks on and abutting the site;

- b. Additional information:
  - Zoning and Comprehensive Plan designations;
  - Location, dimensions, and purpose of existing easements on and abutting the site;
  - Existing and proposed services and utilities; and
  - Any information necessary to show that the approval criteria are met.
5. Fees. The applicable filing fees.

**B. Final Plat.** An application for a Final Plat must include all of the following:

1. Final Plat survey. Copies of a Final Plat survey drawn to scale and of a format, material, and number acceptable to the Director of BDS. The following information must be on the Final Plat survey:
  - a. The statements:
    - “This plat is subject to the conditions of City of Portland Case File No. LUR...”; and
    - “Additional City review is required for any changes made to this plat after the signature date of the BDS representative. Such changes may require an additional review procedure”; and
  - b. Easements and tracts, including their purpose;
2. Supplemental plan. A supplemental plan, the number determined by the Director of BDS, that uses the Final Plat survey map as a base map. The supplemental plan must show how all conditions of approval that may restrict the use of all or part of the land division site are met. This includes the information from the Preliminary Plan that shows the proposal does not move the site out of conformance, or further out of conformance, with the standards of Chapter 33.251, Manufactured Homes and Manufactured Dwelling Parks;
3. Compliance with conditions of approval. Documentation of compliance with all conditions of the Preliminary Plan approval, including all supporting documents or drawings required by conditions of approval;
4. Maintenance agreements and CC&Rs. Three copies of each required maintenance agreement or Conditions, Covenants and Restrictions;
5. Title report. Current title report issued by a title insurance company verifying ownership and detailing any deed restrictions; and
6. Fees. The applicable filing fees.

### **Review of Preliminary Plan**

#### **33.670.110 Review Procedures**

Review of Preliminary Plans is processed through a Type I procedure.

### **33.670.130 Approval Criteria**

The Preliminary Plan for a land division of a manufactured dwelling park will be approved if the review body finds that the applicant has shown that all of the following approval criteria have been met. The approval criteria are:

- A. Legal status of manufactured dwelling park.** One of the following must be met:
  - 1. The manufactured dwelling park is a legal nonconforming use; or
  - 2. The BDS Code Compliance Division has not issued a written code violation notice as of July 2, 2001.
- B. Number of lots.** The number of lots proposed is the same or less than the number of manufactured dwelling spaces previously approved or legally existing in the manufactured dwelling park.
- C. Development standards.** The Preliminary Plan does not move the site out of conformance, or further out of conformance, with the standards of Chapter 33.251, Manufactured Homes and Manufactured Dwelling Parks.
- D. Boundary.** The proposal does not change the boundary of the manufactured dwelling park.
- E. Services and utilities.**
  - 1. Areas that are used for vehicle access, such as driveways, and that serve more than four lots, must be in a tract. The tract must be shown on the Preliminary Plan;
  - 2. All other services and utilities that serve more than one lot must be in a tract or easement. Where a service or utility serves only one lot, but crosses another, it also must be in a tract or easement. The tracts and easements must be shown on the Preliminary Plan;
- F. Tracts and easements.** The standards of Chapter 33.636, Tracts and Easements, must be met.

### **Review of Final Plat**

#### **33.670.210 Review Procedure**

Final Plats are reviewed through a non-discretionary, administrative procedure. The decision of the Director of BDS is final.

#### **33.670.215 Voiding of Final Plat Application**

A complete application for Final Plat review will be voided where:

- A.** The Director of BDS has sent written comments to the applicant, requesting additional information; and
- B.** The applicant has not provided the requested information within 180 days of the date the Director's letter was mailed.



**33.670.220 Approval Standards**

The Final Plat for land divisions will be approved if the Director of BDS finds that the applicant has shown that all of the approval standards have been met. The approval standards are:

- A. Conformance with Preliminary Plan.** The Final Plat must conform to the approved Preliminary Plan;
- B. Conditions of approval.** The Final Plat must comply with all conditions of approval that apply to Final Plat approval. All other conditions of approval remain in effect;
- C. Dedications, tracts, and easements.**
  - 1. Dedications. All dedications of property to the City or the public must be shown on the Final Plat, and must be made at the time the Final Plat is recorded; and
  - 2. Tracts and easements. All tracts and easements must be shown on the Final Plat, and the requirements of Chapter 33.636, Tracts and Easements, must be met;
- D. Sureties.** All sureties, including performance guarantees and improvement guarantees, required by the Portland City Code must be approved by the appropriate City bureau prior to Final Plat approval; and
- E. Maintenance agreements and CC&Rs.** All maintenance agreements and Conditions, Covenants and Restrictions must be reviewed and approved by the Director of BDS and the City Attorney prior to Final Plat approval and must be submitted to the County Recorder to be recorded with the Final Plat within 90 days of the Final Plat approval.

**Review of Changes to an Approved Preliminary Plan**

**33.670.300 Review Procedure**

Changes to an approved Preliminary Plan are reviewed through a Type I procedure. The decision of the Director of BDS is final.

**33.670.310 Approval Criteria**

Changes to an approved Preliminary Plan will be approved if the review body finds that the applicant has shown that all of the approval criteria of Section 33.670.130 have been met.

**Changes to Final Plat**

**33.670.400 Changes to Final Plat Before Recording**

Before the Final Plat has been recorded with the County Recorder and surveyor, changes are processed as changes to an approved Preliminary Plan. The revised Final Plat must undergo Final Plat review again.

**33.670.410 Changes to Final Plat After Recording**

After the Final Plat has been recorded with the County Recorder and Surveyor, changes are processed as a new land division.