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# Agenda

## **Study Session**

**January 25, 2016**

Noon

**Lausmann Annex — Room 151-157**  
200 South Ivy Street, Medford, Oregon

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Subject:

1. DCA-15-103 Building Height Text Amendment



**MEMORANDUM**

Subject Side and Rear Yard (Setback) Calculation Code Amendment  
File no. DCA-15-103  
To Planning Commission *for January 25th study session*  
From Carla Angeli Paladino, Planner IV  
Date January 20, 2016

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Last year the Planning Department suggested a code change that related to how the side and rear yards (setbacks) are calculated for detached single-family dwellings. Several staff options and one option from CSA Planning were provided and discussed at a study session in September. Though the idea of changing and simplifying the code seemed favorable to the Planning Commission, it was suggested that the issue be brought to the building community for further discussion.

Planning staff set up a small working group of community developers and builders to work on the amendment language. The group included Jay Harland, Jeff Mayfield, Eric Peterson, and John Chmelir as well as several planning staff.

The proposed draft language would modify the side and rear yard (setback) calculations for both detached single-family and duplex dwellings. In addition, it is proposed to modify the front yard (setback) to match that allowed in the Southeast Plan, increase the maximum lot coverage, and exempt mechanical equipment from the yard (setback) requirement.

A copy of the working draft is attached.

Key:

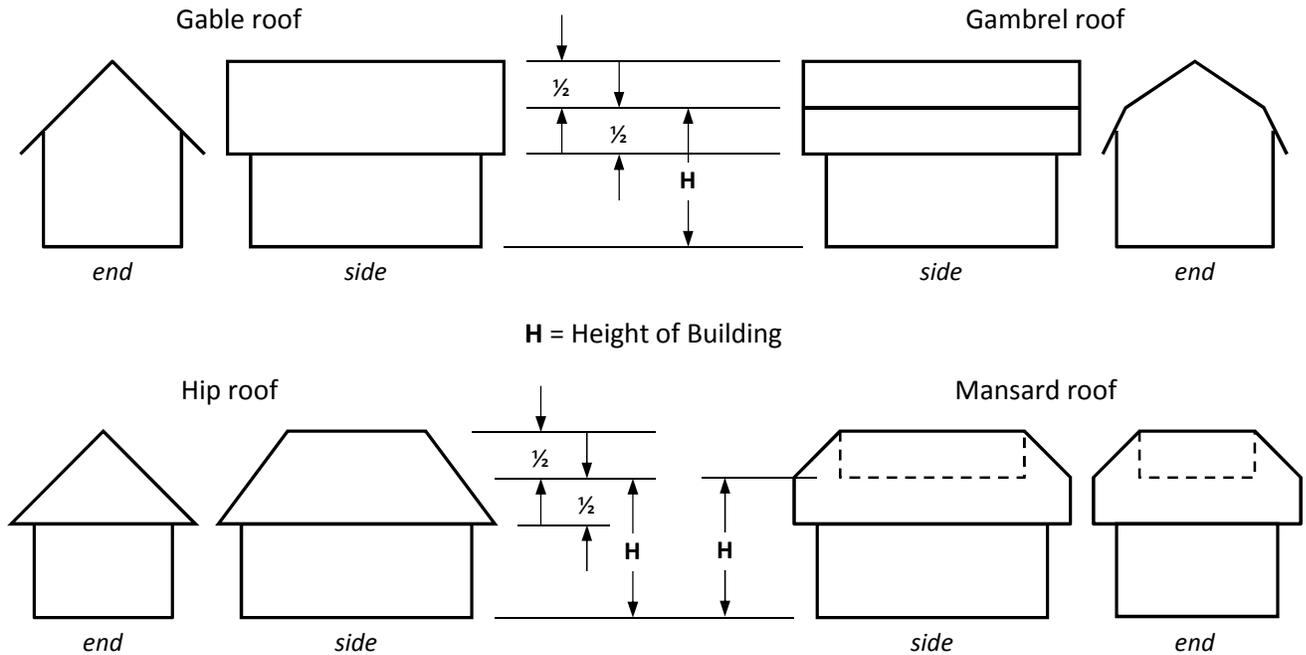
- Black Text = Existing Code Language
- ~~Red Text~~ = Existing Language to be removed
- Blue Text = New language

**10.705 Building Height.**

**A. Calculation.** Building height shall be determined by measuring the vertical distance from the average contact ground level at the front wall of the building to the highest point of the roof surface for flat roofs; to the deck line of mansard roofs; and to the average height between eaves and ridge for gable, hip and gambrel roofs.

**B. Exemptions** – Building height limitations shall not apply to:

- (1) Chimneys, church spires, belfries, cupolas, flag poles, antennas, support structures and antennas for amateur radio operations (as per ORS 221.295), and other similar projections that are accessory to the permitted use.
- (2) Wireless communication transmission towers, which are subject to the Special Use Standards contained in Section 10.824.
- (3) Public utility service facilities, which are subject to the Special Use Standards contained in Section 10.830.



[Amd. Sec. 1, Ord. No. 8207, Oct. 3, 1996; Amd. Sec. 1, Ord. No. 8349, May 1, 1997; Amd. Sec. 2, Ord. No. 1998-146, June 18, 1998; Amd. Sec. 9, Ord. No. 2012-137, Sept. 6, 2012; Amd. Sec. 3, Ord. No. 2013-30, Feb. 21, 2013.]

10.706 Determining Side and Rear Yard Building Setbacks for Detached Single Family and Duplex Dwellings.

The side and rear yards are calculated using the following provisions:

1) The height of the structure measured from the front wall of the building to calculate the side yards. Height is calculated per Section 10.705 (A) above. For rear yards, the calculation is the minimum noted in the chart or the greater of the side yard for the building being measured whichever is more.

2) The side yard (setback) is based on the following building heights:

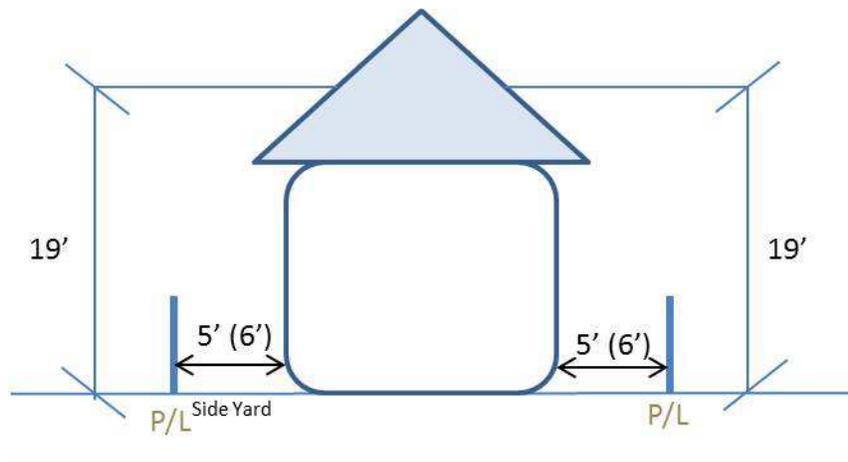
<u>Building Height Range (in feet)</u>	<u>Required Yard (Setback)</u>
<u>0 – 16</u>	<u>4 foot</u>
<u>17 – 25</u>	<u>6 foot (SFR-00, SFR-2, SFR-4) or</u> <u>5 foot (SFR-6 and SFR-10)</u>
<u>26 – 35</u>	<u>8 foot</u>

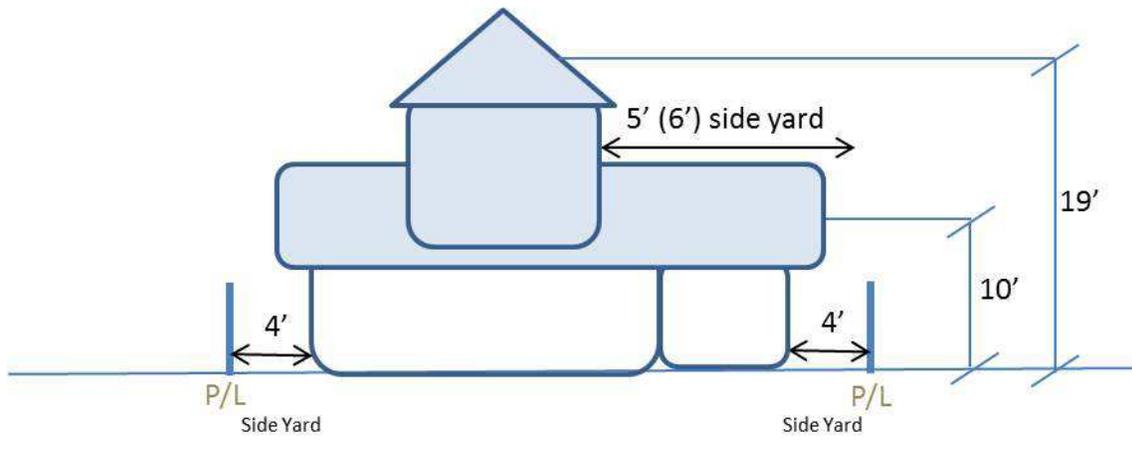
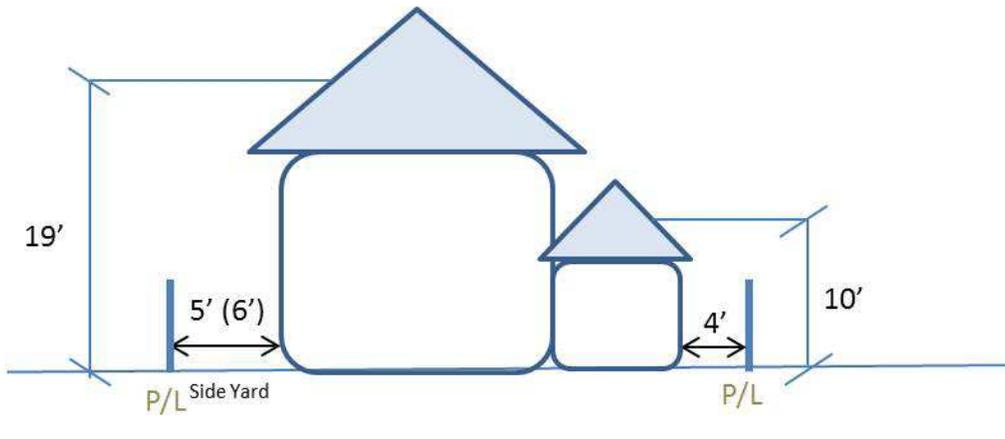
Note: Height is rounded to the nearest whole number (up for numbers 0.5 and greater, and down for numbers less than 0.5)

3) Elevations contain varying roof heights and wall locations. When calculating building setbacks, the height of the building shall be measured at several locations along the front wall of the building in order to address differing building heights and wall placement. The appropriate yard (setback) is designated based on these factors. The yard is measured from property line to nearest vertical structural element (i.e. wall or post) of any area under roof cover.

Note: Minimum required yards are based on a maximum one foot eave dimension. Required yards for buildings with eaves greater than one foot shall be increased in direct correlation. (See Section 10.707).

Side Yard Examples:





### 10.707 Exceptions to Yard Requirements.

A. **General Exceptions.** The following projections shall be permitted within the required yard area:

(1) Cornices, eaves, fireplaces, canopies, mechanical (heating and cooling equipment – not located in a residential zone), or other similar architectural features may extend a maximum of one foot into a required yard. In residential zones, mechanical (heating and cooling equipment) is exempt from the yard requirements.

(2) Open uncovered accessory structures such as fire escapes, **patios**, porches, balconies, or outside stairways may extend a maximum of one foot into the required side and rear yard and a maximum of **six-five** feet into a required front yard. Porches, decks or stoops which are open and uncovered and not exceeding 18 inches in height may be located within 18 inches of any lot line.

(3) Within the commercial districts awnings shall be allowed to extend a maximum of six feet into the required front yard.

(4) Established Neighborhoods: On a parcel where the abutting lots, adjoining the same street, contain legally constructed buildings whose setbacks are equal to or less than

that required by the underlying zone, the front yard setback may be reduced to a distance equal to the average setback of the abutting parcels. If one of the adjoining lots is vacant, the minimum setback of the underlying zone shall be utilized to determine the average.

**10.710 Detached Single-Family Dwellings.**

The following standards apply to the development of detached single-family dwellings within the various residential districts. A manufactured home is considered a detached single-family dwelling only if the requirements of Article V, Section 10.900 are met. See Article III, Sections 10.308 through 10.312 for detailed descriptions of each residential zoning district and density factors, and Section 10.314 for conditional, special, and permitted uses.

<b>DETACHED SINGLE-FAMILY DWELLINGS</b>					
One detached dwelling unit per lot.					
DEVELOPMENT STANDARDS	SFR-00	SFR-2	SFR-4	SFR-6	SFR-10
<b>MINIMUM AND MAXIMUM DENSITY FACTOR RANGE (See 10.708)</b>	NA	.8 to 2.0 dwelling units per gross acre	2.5 to 4.0 dwelling units per gross acre	4.0 to 6.0 dwelling units per gross acre	6.0 to 10.0 dwelling units per gross acre
<b>LOT AREA RANGE (SQUARE FEET)</b>	Land divisions not permitted in this zone	14,000 to 55,000	6,500 to 18,750	4,500 to 12,500	3,600 to 8,125
<b>MAXIMUM COVERAGE FACTOR (See 10.706)</b>	40%	35% of lot area	<del>40</del> 45% of lot area can exceed <del>40</del> 45% when the building footprint is not more than 2,000 sq. ft.		<u>50%</u>
<b>MINIMUM INTERIOR LOT WIDTH</b>	NA	80 feet	60 feet	50 feet	40 feet
<b>MINIMUM CORNER LOT WIDTH</b>	NA	90 feet	70 feet	60 feet	50 feet
<b>MINIMUM LOT DEPTH</b>	NA	90 feet can count only half of an adjoining alley toward the lot depth			
<b>MINIMUM LOT FRONTAGE</b>	NA	30 feet EXCEPT Flag Lots which shall be 20 feet			
<b>MINIMUM FRONT YARD BUILDING SETBACK</b>	<del>20</del> 15 feet EXCEPT <u>the garage shall maintain 20 feet.</u> <del>15 feet</del> IF vehicular access to the garage is parallel to the street <u>then the garage setback may be 15 feet also.</u>				
<b>MINIMUM STREET SIDE YARD BUILDING SETBACK</b>	10 feet EXCEPT 20 feet for vehicular entrances to garages or carports				

<b>DETACHED SINGLE-FAMILY DWELLINGS</b>					
One detached dwelling unit per lot.					
DEVELOPMENT STANDARDS	SFR-00	SFR-2	SFR-4	SFR-6	SFR-10
<b>MINIMUM SIDE YARD BUILDING SETBACK</b> <a href="#">See Section 10.706</a>	<del>4 feet PLUS ½ foot for each foot in building height over 15 feet</del>  <a href="#">4 feet (0-16 feet)</a> <a href="#">6 feet (17-25 feet)</a> <a href="#">8 feet (26 feet or taller)</a>			  <a href="#">4 feet (0-16 feet)</a> <a href="#">5 feet (17-25 feet)</a> <a href="#">8 feet (26 feet or taller)</a>	
<b>MINIMUM REAR YARD BUILDING SETBACK</b> <a href="#">See Section 10.706</a>	<del>4 feet PLUS ½ foot for each foot in building height over 15 feet EXCEPT 10 feet IF the rear property line abuts a collector or arterial street</del>  <a href="#">4 feet or the greater of the side yard calculation whichever is more</a>  <a href="#">EXCEPT if the rear property line abuts a collector or arterial street the setback is a minimum of 10 feet</a>			  <a href="#">4 feet or the greater of the side yard calculation whichever is more</a>  <a href="#">EXCEPT if the rear property line abuts a collector or arterial street the setback is a minimum of 10 feet</a>	
<b>MAXIMUM HEIGHT (See 10.705)</b>	35 feet				
<b>BUFFERYARD SETBACK</b>	8 feet from bufferyard to any doors on a dwelling unit				
A detached single-family dwelling as a stand alone use is permitted in the Multiple-Family Residential (MFR) zoning districts ONLY if the lot is nonconforming as to minimum lot area, width, or depth.					
<b><i>The terms used herein, such as lot width, lot depth, front yard, etc., are defined in Article I, Section 10.012.</i></b>					

[Amd. Sec. 3, Ord. No. 7037, Dec. 5, 1991; Amd. Sec. 1, Ord. No. 7428, July 15, 1993; Amd. Sec. 2, Ord. No. 7612, Apr. 7, 1994; Amd. Sec. 1, Ord. No. 7776, Dec. 1, 1994; Amd. Sec. 2, Ord. No. 7940, Aug. 3, 1995; Amd. Sec. 6, Ord. No. 8013, Jan. 4, 1996; Amd. Sec. 1, Ord. No. 8207, Oct. 3, 1996; Amd. Sec. 1, Ord. No. 98-56, March 19, 1998; Amd. Sec. 4, Ord. No. 2001-205, Oct. 18, 2001; Amd. Sec. 5, Ord. No. 2003-258, Sept. 18, 2003; Amd. Ord. No. 2006-65, Mar. 16, 2006; Amd. Sec. 23, Ord. No. 2009-207, Sept. 17, 2009.]

**10.713 Duplex Dwellings.**

The following standards apply to the development of duplex dwellings within the various residential districts. See Article III, Sections 10.308 through 10.312 for detailed descriptions of each residential zoning district and density factors, and Section 10.314 for conditional, special, and permitted uses.

<b>DUPLEX DWELLINGS</b>						
Two attached dwelling units on an individual lot or divided by a lot-line.						
<b>DEVELOPMENT STANDARDS</b>	<b>SFR-4</b>	<b>SFR-6</b>	<b>SFR-10</b>	<b>MFR-15</b>	<b>MFR-20</b>	<b>MFR-30</b>
<b>SPECIAL STANDARDS</b>	A duplex SHALL be divided by a lot-line AND be on a corner lot.	A duplex SHALL be divided by a lot-line.	A duplex is permitted on a lot of 6,000 sq. ft. or less ONLY if the duplex was legally existing or the application for development had been accepted prior to May 15, 2003.	A duplex is permitted on lots between 5,000 and 12,500 square feet in size.		
<b>MINIMUM AND MAXIMUM DENSITY FACTOR RANGE (See 10.708)</b>	2.5 to 4.0 dwelling units per gross acre	4.0 to 6.0 dwelling units per gross acre	6.0 to 10.0 dwelling units per gross acre	10.0 to 15.0 dwelling units per gross acre	15.0 to 20.0 dwelling units per gross acre	20.0 to 30.0 dwelling units per gross acre
<b>LOT AREA RANGE (SQUARE FEET)</b>	8,500 to 18,750 each half	6,000 to 12,500 each half	6,000* to 12,500*	5,000* to 12,500*		
<b>MAXIMUM COVERAGE FACTOR (See 10.706)</b>	<del>40%</del> 45%		50%			
<b>MINIMUM INTERIOR LOT WIDTH</b>	75 feet each half	60 feet each half	50 feet*			
<b>MINIMUM CORNER LOT WIDTH</b>	75 feet each half	60 feet each half	60 feet*			
<b>MINIMUM LOT DEPTH</b>	90 feet					
<b>MINIMUM LOT FRONTAGE</b>	15 feet each half		30 feet*			
<b>MINIMUM FRONT YARD BUILDING SETBACK</b>	EXCEPT <del>20-15</del> feet <del>the garage shall maintain 20 feet, 15 feet</del> IF vehicular access to the garage is parallel to the street <u>then the garage setback may be 15 feet also.</u>					
<b>MINIMUM STREET SIDE YARD BUILDING SETBACK</b>	10 feet EXCEPT 20 feet for vehicular entrances to garages or carports					

Side & Rear Yard (Setback) Calculation Code Amendment

File no. DCA-15-103

January 20, 2016

<b>DUPLEX DWELLINGS</b>						
Two attached dwelling units on an individual lot or divided by a lot-line.						
DEVELOPMENT STANDARDS	SFR-4	SFR-6	SFR-10	MFR-15	MFR-20	MFR-30
<b>MINIMUM SIDE YARD BUILDING SETBACK</b> <a href="#">See Section 10.706</a>	<p style="color: red;">4 feet PLUS ½ foot for each foot in building height over 15 feet</p> <p>4 feet (0-16 feet)</p> <p>6 feet (17-25 feet)</p> <p>8 feet (26 feet or taller)</p>					
<b>MINIMUM REAR YARD BUILDING SETBACK</b> <a href="#">See Section 10.706</a>	<p style="color: red;">4 feet PLUS ½ foot for each foot in building height over 15 feet EXCEPT 10 feet IF the rear property line abuts a collector or arterial street</p> <p>4 feet or the greater of the side yard calculation whichever is more</p> <p>EXCEPT if the rear property line abuts a collector or arterial street the setback is 10 feet</p>	<p style="text-align: center;">4 feet or the greater of the side yard calculation whichever is more</p> <p style="text-align: center;"><u>EXCEPT if the rear property line abuts a collector or arterial street the setback is a minimum of 10 feet</u></p>				
<b>MAXIMUM HEIGHT</b> (See 10.705)	35 feet					
<b>BUFFERYARD SETBACK</b>	8 feet from bufferyard to any doors on a dwelling unit					
Where the duplex is REQUIRED to be divided by a lot-line (SFR-4 and SFR-6), THEN the standards pertain to each half separately. For the other zoning districts, the * indicates standards that are divided in half IF the duplex is to be divided by a lot-line. Where the duplex is permitted without being divided by a lot-line, THEN two DETACHED dwelling units are permitted in lieu of the duplex.						

<b>DUPLEX DWELLINGS</b>						
Two attached dwelling units on an individual lot or divided by a lot-line.						
<b>DEVELOPMENT STANDARDS</b>	<b>SFR-4</b>	<b>SFR-6</b>	<b>SFR-10</b>	<b>MFR-15</b>	<b>MFR-20</b>	<b>MFR-30</b>
<i>The terms used herein, such as lot width, lot depth, front yard, etc., are defined in Article I, Section 10.012.</i>						

[Amd. Sec. 21, Ord. No. 5820, March 19, 1987; Amd. Sec. 6, Ord. No. 5873, May 21, 1987; Amd. Sec. 6, Ord. No. 6231, Nov. 3, 1988; Amd. Sec. 5, Ord. No. 7612, April 7, 1994; Amd. Sec. 4, Ord. No. 7776, Dec. 1, 1994; Amd. Sec. 4, Ord. No. 7940, Aug. 3, 1995; Amd. Sec. 9, Ord. No. 8013, Jan. 4, 1996; Amd. Sec. 1, Ord. No. 8207, Oct. 3, 1996; Amd. Ord. No. 2003-149, June 5, 2003; Amd. Sec. 13, Ord. No. 2012-137, Sept. 6, 2012.]