

CITY OF SILVERTON
ORDINANCE
16-04

AN ORDINANCE OF THE SILVERTON CITY COUNCIL APPROVING AN AMENDMENT TO TITLE 18, DEVELOPMENT CODE AND ZONING MAP, BY ADDING STANDARDS FOR RESIDENTIAL DEVELOPMENT TO REGULATE THE AMOUNT OF STORIES ALLOWED

WHEREAS, the Code amendment is designed to define and regulate the amount of stories allowed in each residential zoning district and define setbacks for all residential structure types; and

WHEREAS, the Planning Commission met in a duly advertised Public Hearing on January 12, 2016 to consider the proposed text amendments, allowed testimony, and reviewed the proposed text amendment to Title 18, Development Code and Zoning Map, of the Silverton Municipal Code and made certain modifications to the proposed amendments; and

WHEREAS, following public testimony, the Planning Commission deliberated and voted to recommend the City Council approve the proposed Development Code amendment; and

WHEREAS, after proper legal notice, a Public Hearing before the City Council was held on February 1, 2016 to consider the Development Code Amendment application, DC-15-04. All interested parties participated and had an opportunity to be heard. The City Council reviewed all matters presented to it including the recommendations of the Planning Commission.

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

Section 1: Section 1.5.300 of the Silverton Development Code is amended to read as follows:

“Basement” means a portion of a building, not deemed a story, where the floor level directly above is 6 ft or less above grade for more than 50% of the total perimeter and is less than 10 ft above grade at every point.

“Story” means a portion of a building between any floor and the next floor or ceiling above. If the floor level directly above a basement or unused under-floor space is more than 6 ft above grade for more than 50% of the total perimeter or is more than 10 ft above grade at any point, such basement or unused under-floor space shall be considered as a story.

“Half-story” means a story under a gable, gambrel, or hip roof, the wall plates of which on at least 2 opposite exterior walls are not more than 2 ft above the floor of such story.

Section 2: Section 2.2.120 Development Standards for Residential Districts:

Table 2.2.120.A – Development Standards for Residential Districts

| Standard | R-1 | R-5 | RM-10 | RM-20 |
|---|--------|--------|--------|--------|
| <i>Maximum Building Stories</i> | 2.5 | 2.5 | 3.0 | 3.0 |
| Building/Structure Height | | | | |
| See also: SDC 2.2.130 , Residential districts – Setback yards – Exceptions, reverse frontage lots and flag lots; 2.2.200(A), Accessory Dwellings (Attached, Separate Cottage, or Above Detached Garage); 3.1.200(N), Vision Clearance; 3.2.500, Fences and walls. | | | | |
| Standard maximum height | 35 ft. | 35 ft. | 35 ft. | 35 ft. |

| Side Setbacks | |
|-------------------------------|--------|
| One-story structures | 5 ft. |
| Two-story structures | 7 ft. |
| <i>Three-story structures</i> | 9 ft. |
| Rear Setbacks | |
| One-story structure | 20 ft. |
| Two-story structures | 20 ft. |
| <i>Three-story structures</i> | 20 ft. |

Section 3: Section 2.2.170(C) is amended to read as follows:

Sloped Lots (Hillside Overlay District). The maximum allowable height on a sloping lot (12 percent or greater slope averaged from front to rear property line) shall be 35 feet and three stories.

Section 4: A full copy of all text amendments and findings of fact can be found in file DC-15-04, located in the Community Development Department at City Hall.

Section 5: This ordinance shall be effective upon and from 30 days of adoption.

Ordinance adopted by the City Council of the City of Silverton, this 7th day of March, 2016.

ATTEST

A handwritten signature in blue ink, consisting of a large, stylized 'B' and 'W' intertwined, with a long horizontal line extending to the right.

City Manager/Recorder, City of Silverton
Bob Willoughby

A handwritten signature in blue ink, appearing to be 'Rick Lewis', written in a cursive style.

Mayor, City of Silverton
Rick Lewis