



# Oregon

Theodore R. Kulongoski, Governor

## Department of Land Conservation and Development

635 Capitol Street NE, Suite 150

Salem, Oregon 97301-2524

Phone: (503) 373-0050

First Floor/Coastal Fax: (503) 378-6033

Second Floor/Director's Office: (503) 378-5518

Web Address: <http://www.oregon.gov/LCD>

### NOTICE OF ADOPTED AMENDMENT

July 7, 2006



TO: Subscribers to Notice of Adopted Plan  
or Land Use Regulation Amendments

FROM: Mara Ulloa, Plan Amendment Program Specialist

SUBJECT: City of West Linn Plan Amendment  
DLCD File Number 006-03A

The Department of Land Conservation and Development (DLCD) received the attached notice of adoption. A copy of the adopted plan amendment is available for review at the DLCD office in Salem and the local government office.

Appeal Procedures\*

#### **DLCD ACKNOWLEDGMENT or DEADLINE TO APPEAL: July 20, 2006**

This amendment was submitted to DLCD for review 45 days prior to adoption. Pursuant to ORS 197.830 (2)(b) only persons who participated in the local government proceedings leading to adoption of the amendment are eligible to appeal this decision to the Land Use Board of Appeals (LUBA).

If you wish to appeal, you must file a notice of intent to appeal with the Land Use Board of Appeals (LUBA) no later than 21 days from the date the decision was mailed to you by the local government. If you have questions, check with the local government to determine the appeal deadline. Copies of the notice of intent to appeal must be served upon the local government and others who received written notice of the final decision from the local government. The notice of intent to appeal must be served and filed in the form and manner prescribed by LUBA, (OAR Chapter 661, Division 10). Please call LUBA at 503-373-1265, if you have questions about appeal procedures.

**\*NOTE: THE APPEAL DEADLINE IS BASED UPON THE DATE THE DECISION WAS MAILED BY LOCAL GOVERNMENT. A DECISION MAY HAVE BEEN MAILED TO YOU ON A DIFFERENT DATE THAN IT WAS MAILED TO DLCD. AS A RESULT YOUR APPEAL DEADLINE MAY BE EARLIER THAN THE ABOVE DATE SPECIFIED.**

Cc: Gloria Gardiner, DLCD Urban Planning Specialist  
Meg Fernekees, DLCD Regional Representative  
Peter Spir, City of West Linn

<paa> ya/

**FORM 2**

**DLCD NOTICE OF ADOPTION DEPT OF**

This form **must be mailed** to DLCD **within 5 working days after the final decision**  
per ORS 197.610, OAR Chapter 660 - Division 18

JUN 30 2006

(See reverse side for submittal requirements)

LAND CONSERVATION  
AND DEVELOPMENT

Jurisdiction: CITY OF WEST LINN Local File No.: MISC-03-16  
(If no number, use none)

Date of Adoption: 6-12-06 Date Mailed: 6-29-06  
(Must be filled in) (Date mailed or sent to DLCD)

Date the Notice of Proposed Amendment was mailed to DLCD: JULY 22, 2003

- Comprehensive Plan Text Amendment
- Comprehensive Plan Map Amendment
- Land Use Regulation Amendment
- Zoning Map Amendment
- New Land Use Regulation
- Other: \_\_\_\_\_

(Please Specify Type of Action)

Summarize the adopted amendment. Do not use technical terms. Do not write ASee Attached.≡

ESTABLISHED MAXIMUM SQUARE FOOTAGE  
OF SINGLE FAMILY HOME. ALSO LIMITED  
HEIGHT OF HOMES. ALSO REQUIRED  
SPECIAL DESIGNS FOR SIDEWALKS OF HOMES.

Describe how the adopted amendment differs from the proposed amendment. If it is the same, write ASame.≡ If you did not give notice for the proposed amendment, write AN/A.≡

SAME. CODE ALSO PROHIBITED  
RESIDENTIAL FACILITIES IN SINGLE  
FAMILY RESIDENTIAL ZONES.

Plan Map Changed from: — / — to — / —

Zone Map Changed from: — / — to — / —

Location: CITY WIDE Acres Involved: CITY WIDE

Specify Density: Previous: — / — New: — / —

Applicable Statewide Planning Goals: # 10

Was an Exception Adopted? Yes: — No: ✓

DLCD File No.: 006-03A

Did the Department of Land Conservation and Development receive a notice of Proposed

Amendment **FORTY FIVE (45) days prior to the first evidentiary hearing.** Yes:  No:

If no, do the Statewide Planning Goals apply. Yes:  No:

If no, did The Emergency Circumstances Require immediate adoption. Yes:  No:

Affected State or Federal Agencies, Local Governments or Special Districts: NONE

Local Contact: PETER SPIR Area Code + Phone Number: (503) 656-4211

Address: 22500 SALAMO ROAD City: WEST LINN, OR

Zip Code+4: 97034 Email Address: PSPIR@ci.west-linn.or.us

### ADOPTION SUBMITTAL REQUIREMENTS

This form **must be mailed** to DLCD **within 5 working days after the final decision**  
per ORS 197.610, OAR Chapter 660 - Division 18.

1. Send this Form and TWO (2) Copies of the Adopted Amendment to:

**ATTENTION: PLAN AMENDMENT SPECIALIST  
DEPARTMENT OF LAND CONSERVATION AND DEVELOPMENT  
635 CAPITOL STREET NE, SUITE 150  
SALEM, OREGON 97301-2540**

2. Submit **TWO (2) copies** the adopted material, if copies are bounded please submit **TWO (2) complete copies** of documents and maps.

3. Please Note: Adopted materials must be sent to DLCD not later than **FIVE (5) working days** following the date of the final decision on the amendment.

4. Submittal of this Notice of Adoption must include the text of the amendment plus adopted findings and supplementary information.

5. The deadline to appeal will not be extended if you submit this notice of adoption within five working days of the final decision. Appeals to LUBA may be filed within **TWENTY-ONE (21) days** of the date, the ANotice of Adoption is sent to DLCD.

6. In addition to sending the ANotice of Adoption to DLCD, you must notify persons who participated in the local hearing and requested notice of the final decision.

7. **Need More Copies?** You can copy this form on to 8-1/2x11 green paper only ; or call the DLCD Office at (503) 373-0050; or Fax your request to:(503) 378-5518; or Email your request to Larry.French@state.or.us - **ATTENTION: PLAN AMENDMENT SPECIALIST.**

**ORDINANCE NO. 1538  
WEST LINN, OREGON**

**AN ORDINANCE AMENDING THE WEST LINN COMMUNITY DEVELOPMENT CODE  
TO ESTABLISH DESIGN STANDARDS FOR SINGLE-FAMILY RESIDENCES**

**WHEREAS**, there is a trend to larger single-family homes and although in many areas that trend has no ill effect, in other areas, particularly the older neighborhoods, the new homes are too big for their surroundings in that they dwarf adjacent homes resulting in loss of privacy, loss of views and a streetscape that is visually disrupted and discordant; and,

**WHEREAS**, the City became aware of the use of design standards by other cities as a tool to make new homes and large scale remodels architecturally sympathetic with adjacent existing homes; and,

**WHEREAS**, a recent survey showed that 65 percent of West Linn respondents favor design review for single-family homes; and,

**WHEREAS**, the City held dozens of public hearings and work sessions over the past three years with various constituency groups considering a diverse and extensive range of standards before the final set of standards emerged; and,


**WHEREAS**, the City provided legislative notice pursuant to CDC Section 98.070, and also provided notice to all property owners required by ORS 197.047 ("Measure 56 notice"); and,

**WHEREAS**, the West Linn Planning Commission conducted a public hearing on January 26, 2006 and recommended that the amendments be adopted by the City Council and incorporated into the West Linn Community Development Code; and,

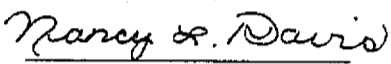
**WHEREAS**, the City Council held public hearings on February 27, 2006 and April 24, 2006, and hereby adopts the findings of fact and conclusions in the record justifying its decision;

**NOW, THEREFORE, THE CITY OF WEST LINN ORDAINS AMENDMENTS TO THE WEST LINN COMMUNITY DEVELOPMENT CODE AS FOLLOWS** (additions are underlined and in bold, deletions are struck out):

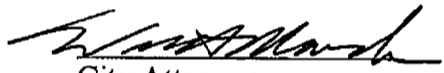
PASSED AND APPROVED THIS 12<sup>th</sup> DAY OF JUNE 2006.

  
\_\_\_\_\_  
NORMAN B. KING, MAYOR

ATTEST:

  
\_\_\_\_\_  
Witness

APPROVED AS TO FORM:

  
\_\_\_\_\_  
City Attorney

## SINGLE-FAMILY DESIGN STANDARDS PROPOSED CODE CHANGES

**Additions are underlined and in bold text, deletions are in bracketed and crossed out**

### 25.015      **APPLICABILITY**

The provisions of this chapter shall apply to all properties and structures within the Willamette Historic District boundary as depicted on the map referenced in section 25.030. The single-family residential design standards that apply to homes elsewhere in West Linn shall not apply to homes within the historic district.

26.020      **C. The single family residential design standards that apply to homes elsewhere in West Linn shall not apply to historic landmark structures identified in section 26.020(A). Setbacks and lot coverage standards of the underlying zone shall, however, apply. The standards will apply to both infill development and homes within new subdivisions.**

### 02.000      **DEFINITIONS**

#### 02.030      **SPECIFIC WORDS AND TERMS**

**Building height.** The vertical distance above a reference datum measured to the highest point of the eoping of a flat roof or to the deck line of a mansard roof or to the ~~[-average height of the-]~~ highest gable, **ridgeline, or peak** of a pitched or hipped roof. **(Cupolas, towers etc are not used as the high point per CDC Chapter 40.)** The reference datum shall be selected by either of the following; whichever yields a greater height of building:

~~The elevation of the highest adjoining sidewalk or ground surface within a five-foot horizontal distance of the exterior wall of the building when such sidewalk or ground surface is not more than 10 feet above lowest grade; or an elevation 10 feet higher than the lowest grade when the sidewalk or ground surface described above is more than 10 feet above lowest grade. The height of a stepped or terraced building is the maximum height of any segment of the building.~~

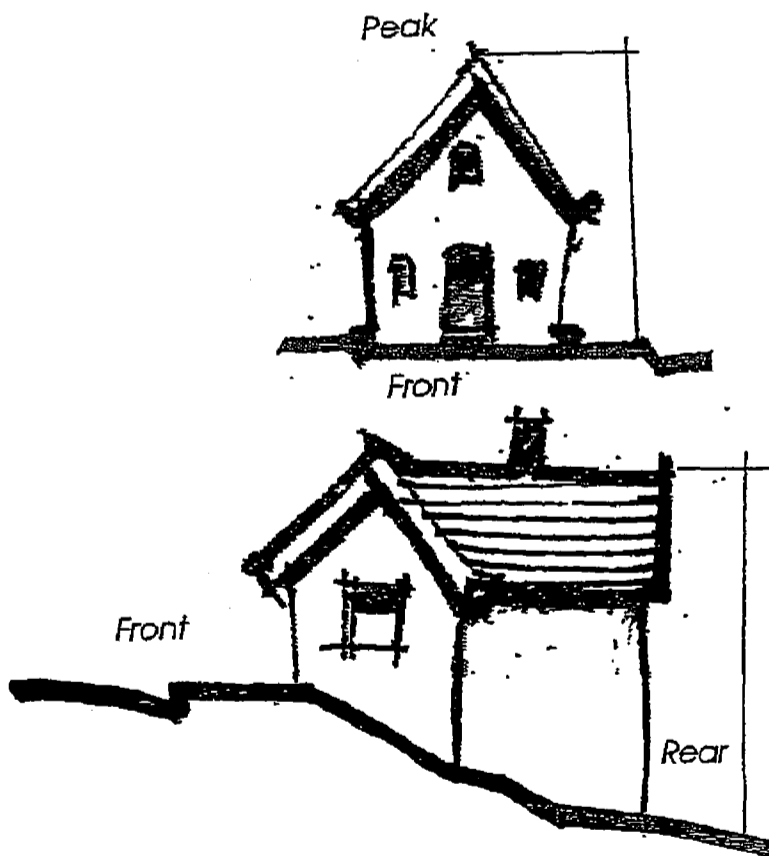
1. For relatively flat sites where there is less than a 10 foot difference in grade between the front and rear of the house, the height of the house shall be measured from grade five feet out from the exterior wall at the front of the house; or,

2. For steeper lots where there is more than a ten-foot difference in grade between the front and rear of the house, the height of the house is measured from grade at a point five feet out from the exterior wall on the lowest side (front or rear) of the house. One then measures vertically to the peak or ridgeline of the roof to determine the height.

~~The elevation of the lowest grade five feet from the exterior wall of the building if there is more than a 10 foot differential between the front and rear elevation of the building.~~

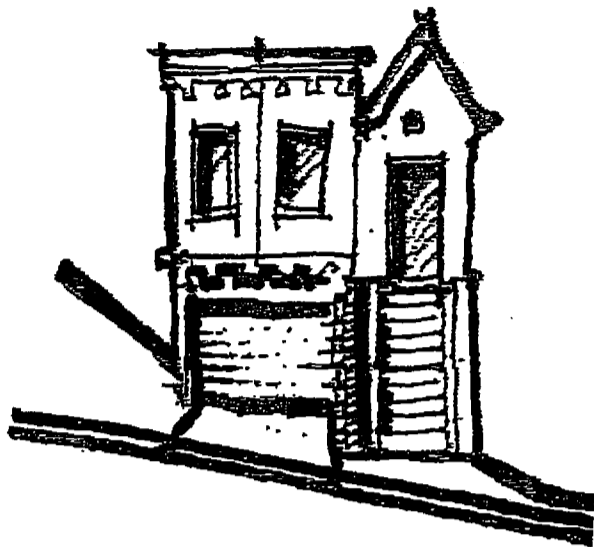
3. Homes on cross slopes or side slopes are measured at either the front or rear of the house using methods described in (1) and (2) above only. Even if the cross slope creates a tall elevation on the side; the method of determining height is not modified.

Also see CDC Section 41.020, HEIGHT EXCEPTIONS.



*Height of home on relatively flat lot is measured from grade at front of house to peak of roof.*

*Height of home on steep lots where there is more than a ten foot difference in elevation between the front and rear of the house, is measured from grade at a point five feet out from the front or rear exterior wall on the lowest side of the house to the peak of the house.*

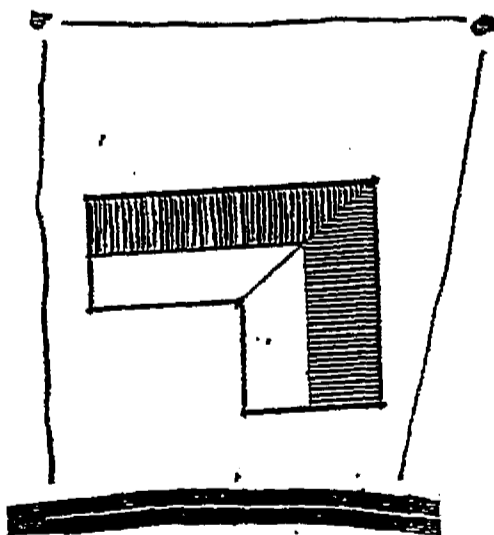


Height of home with a cross slope are still measured at either the front or rear by methods described in (1) or (2) above.

Floor Area Ratio (FAR). The FAR is that percentage of the total lot size that can be built as habitable space. A FAR of .45 means that the square footage of the lot is multiplied by .45 to yield the total habitable square footage of the house including accessory dwelling units. For example, on a 10,000 square foot lot, an FAR of .45 will allow a 4,500 square foot house (10,000 X .45 = 4,500).

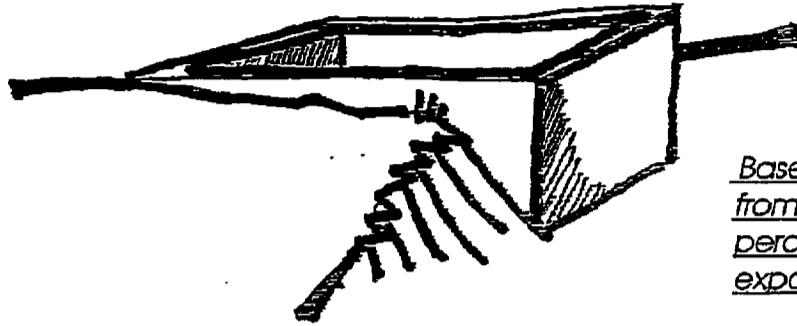
The FAR does not include or apply to attached garages. The FAR does not apply to detached garages, accessory dwelling units and accessory structures except that these detached structures may not individually exceed the height or square footage of the principal dwelling.

The FAR does not include basement areas that average less than 50% of the basement perimeter exposed above grade. Uninhabitable space such as crawl spaces, attics, and spaces designed under the Flood Management Area Permit program to allow the passage of floodwaters are also exempt.



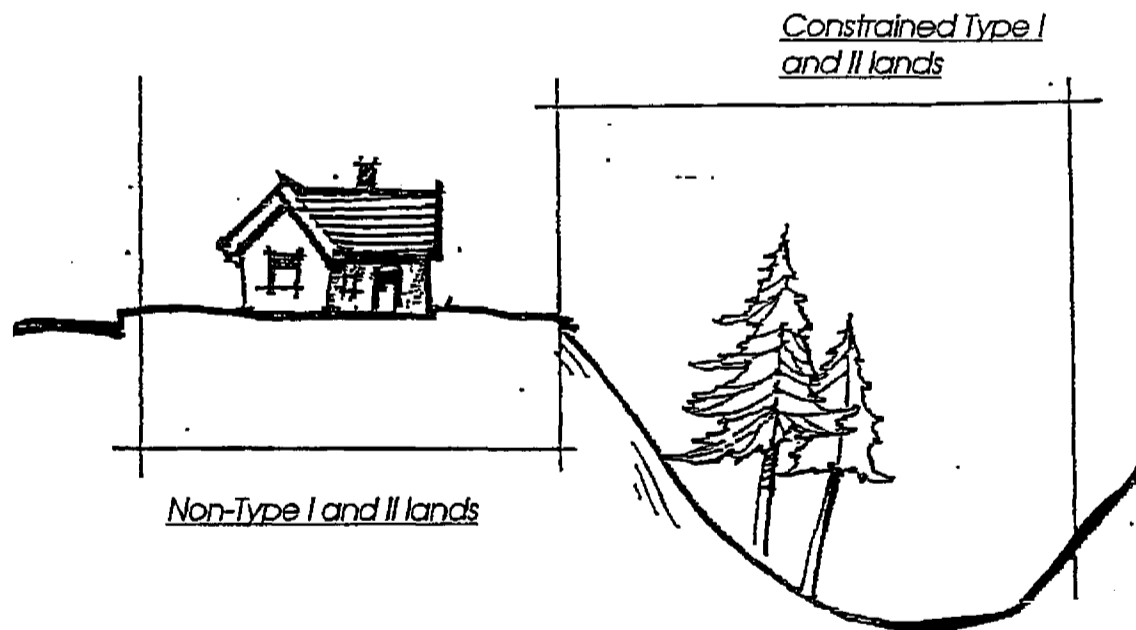
FAR applied to a 10,000 square foot lot yields a 4,500 square foot house. The bigger the lot, the bigger the house. FAR excludes attached garage, detached garages and accessory structures, uninhabitable spaces, basements predominantly below grade, spaces required to meet Flood Management Permit standards. Accessory structures cannot exceed the height or square footage of the principal dwelling.





Basements are exempt from FAR if less than 50 percent of basement is exposed above grade.

Type I and II lands shall not be counted toward lot area when determining allowable floor area ratio, except that a minimum floor area ratio of .30 shall be allowed regardless of the classification of lands within the property. That 30 percent shall be based upon the entire property including Type I and II lands. Existing residences in excess of this standard may be replaced to their prior dimensions when damaged without the requirement that the homeowner obtain a “non-conforming structures” permit under CDC Chapter 66.



Type I and II lands are excluded from FAR calculations. But the property owner is guaranteed at least a FAR of .3 (30%) for the total site including type I and II lands.

08.000 SINGLE-FAMILY RESIDENTIAL DETACHED, R-40  
08.070 DIMENSIONAL REQUIREMENTS, USES PERMITTED  
OUTRIGHT, AND USES PERMITTED UNDER PRESCRIBED  
CONDITIONS

6. The maximum building height shall be [~~two and one-half stories or~~] 40 feet, except for steeply sloped lots in which case the provisions of Chapter 41.000 shall apply.
9. The floor area ratio shall be .45. Type I and II lands shall not be counted toward lot area when determining allowable floor area ratio, except that a minimum floor area ratio of .30 shall be allowed regardless of the classification of lands within the property. That 30 percent shall be based upon the entire property including Type I and II lands. Existing residences in excess of this standard may be replaced to their prior dimensions when damaged without the requirement that the homeowner obtain a "non-conforming structures" permit under CDC Chapter 66.
10. The sidewall provisions of CDC Chapter 43 shall apply

09.000 SINGLE-FAMILY RESIDENTIAL DETACHED, R-20  
09.070 DIMENSIONAL REQUIREMENTS, USES PERMITTED  
OUTRIGHT, AND USES PERMITTED UNDER PRESCRIBED  
CONDITIONS

6. The maximum building height shall be [~~two and one-half stories or~~] 40 feet, except for steeply sloped lots in which case the provisions of Chapter 41.000 shall apply.
9. The floor area ratio shall be .45. Type I and II lands shall not be counted toward lot area when determining allowable floor area ratio, except that a minimum floor area ratio of .30 shall be allowed regardless of the classification of lands within the property. That 30 percent shall be based upon the entire property including Type I and II lands. Existing residences in excess of this standard may be replaced to their prior dimensions when damaged without the requirement that the homeowner obtain a "non-conforming structures" permit under CDC Chapter 66.
10. The sidewall provisions of CDC Chapter 43 shall apply

- 10.000 SINGLE-FAMILY RESIDENTIAL DETACHED, R-15  
10.070 DIMENSIONAL REQUIREMENTS, USES PERMITTED  
OUTRIGHT, AND USES PERMITTED UNDER PRESCRIBED  
CONDITIONS
6. The maximum building height shall be [~~two and one-half stories or~~] 40 feet, except for steeply sloped lots in which case the provisions of Chapter 41.000 shall apply.
  9. The floor area ratio shall be .45. Type I and II lands shall not be counted toward lot area when determining allowable floor area ratio, except that a minimum floor area ratio of .30 shall be allowed regardless of the classification of lands within the property. That 30 percent shall be based upon the entire property including Type I and II lands. Existing residences in excess of this standard may be replaced to their prior dimensions when damaged without the requirement that the homeowner obtain a "non-conforming structures" permit under CDC Chapter 66.
  10. The sidewall provisions of CDC Chapter 43 shall apply

- 11.000 SINGLE-FAMILY RESIDENTIAL DETACHED, R-10  
11.070 DIMENSIONAL REQUIREMENTS, USES PERMITTED  
OUTRIGHT, AND USES PERMITTED UNDER PRESCRIBED  
CONDITIONS
6. The maximum building height shall be [~~two and one-half stories or~~] 35 feet, except for steeply sloped lots in which case the provisions of Chapter 41.000 shall apply.
  9. The floor area ratio shall be .45. Type I and II lands shall not be counted toward lot area when determining allowable floor area ratio, except that a minimum floor area ratio of .30 shall be allowed regardless of the classification of lands within the property. That 30 percent shall be based upon the entire property including Type I and II lands. Existing residences in excess of this standard may be replaced to their prior dimensions when damaged without the requirement that the homeowner obtain a "non-conforming structures" permit under CDC Chapter 66.
  10. The sidewall provisions of CDC Chapter 43 shall apply

12.000 SINGLE-FAMILY RESIDENTIAL DETACHED AND ATTACHED, R-7  
12.070 DIMENSIONAL REQUIREMENTS, USES PERMITTED  
OUTRIGHT, AND USES PERMITTED UNDER PRESCRIBED  
CONDITIONS

6. The maximum building height shall be [~~two and one-half stories or~~] 35 feet, except for steeply sloped lots in which case the provisions of Chapter 41.000 shall apply.
9. The floor area ratio shall be .45. Type I and II lands shall not be counted toward lot area when determining allowable floor area ratio, except that a minimum floor area ratio of .30 shall be allowed regardless of the classification of lands within the property. That 30 percent shall be based upon the entire property including Type I and II lands. Existing residences in excess of this standard may be replaced to their prior dimensions when damaged without the requirement that the homeowner obtain a "non-conforming structures" permit under CDC Chapter 66.
10. The sidewall provisions of CDC Chapter 43 shall apply

13.000 SINGLE -FAMILY RESIDENTIAL DETACHED AND  
ATTACHED/DUPLEX, R-5  
13.070 DIMENSIONAL REQUIREMENTS, USES PERMITTED  
OUTRIGHT, AND USES PERMITTED UNDER PRESCRIBED  
CONDITIONS

6. The maximum building height shall be [~~two and one-half stories or~~] 35 feet, except for steeply sloped lots in which case the provisions of Chapter 41.000 shall apply.
9. The floor area ratio shall be .45. Type I and II lands shall not be counted toward lot area when determining allowable floor area ratio, except that a minimum floor area ratio of .30 shall be allowed regardless of the classification of lands within the property. That 30 percent shall be based upon the entire property including Type I and II lands. Existing residences in excess of this standard may be replaced to their prior dimensions when damaged without the requirement that the homeowner obtain a "non-conforming structures" permit under CDC Chapter 66.
10. The sidewall provisions of CDC Chapter 43 shall apply

14.000 SINGLE-FAMILY RESIDENTIAL DETACHED AND ATTACHED/DUPLEX, R-4.5

14.070 DIMENSIONAL REQUIREMENTS, USES PERMITTED OUTRIGHT, AND USES PERMITTED UNDER PRESCRIBED CONDITIONS

6. The maximum building height shall be [~~two and one-half stories or~~] 35 feet, except for steeply sloped lots in which case the provisions of Section 41.000 shall apply.
9. The floor area ratio shall be .45. Type I and II lands shall not be counted toward lot area when determining allowable floor area ratio, except that a minimum floor area ratio of .30 shall be allowed regardless of the classification of lands within the property. That 30 percent shall be based upon the entire property including Type I and II lands. Existing residences in excess of this standard may be replaced to their prior dimensions when damaged without the requirement that the homeowner obtain a "non-conforming structures" permit under CDC Chapter 66.
10. The sidewall provisions of CDC Chapter 43 shall apply

15.000 SINGLE-FAMILY/MULTIPLE-FAMILY RESIDENTIAL, R-3

15.070 DIMENSIONAL REQUIREMENTS, USES PERMITTED OUTRIGHT, AND USES PERMITTED UNDER PRESCRIBED CONDITIONS

5. The maximum building height shall be [~~two and one-half stories or~~] 35 feet for an attached or detached single-family unit, duplex unit, or multi-family unit, except for steeply sloped lots when the provisions of [~~Section 40.030~~] Chapter 41.000 shall apply.
7. The floor area ratio for single-family homes shall be .45. Type I and II lands shall not be counted toward lot area when determining allowable floor area ratio, except that a minimum floor area ratio of .30 shall be allowed regardless of the classification of lands within the property. That 30 percent shall be based upon the entire property including Type I and II lands. Existing residences in excess of this standard may be replaced to their prior dimensions when damaged without the requirement that the homeowner obtain a "non-conforming structures" permit under CDC Chapter 66.
8. The sidewall provisions of CDC Chapter 43 shall apply

16.000 SINGLE-FAMILY/MULTIPLE-FAMILY RESIDENTIAL, R-2.1

16.070 DIMENSIONAL REQUIREMENTS, USES PERMITTED  
OUTRIGHT, AND USES PERMITTED UNDER PRESCRIBED  
CONDITIONS

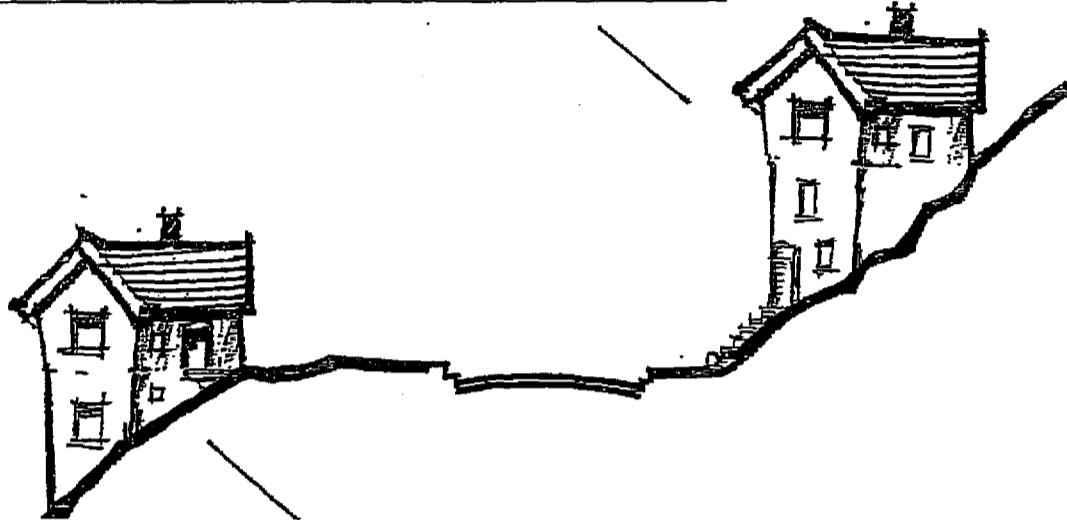
6. The maximum building height shall be:
  - a. ~~[-Two and one-half stories or-]~~ 35 feet for a garden apartment-low rise unit, single-family unit, attached single-family unit, duplex unit or boarding house, except for steeply sloped lots when the provisions of ~~[-Section 40.030-]~~ Chapter 41 shall apply.
8. The floor area ratio for single-family homes shall be .45. Type I and II lands shall not be counted toward lot area when determining allowable floor area ratio, except that a minimum floor area ratio of .30 shall be allowed regardless of the classification of lands within the property. That 30 percent shall be based upon the entire property including Type I and II lands. Existing residences in excess of this standard may be replaced to their prior dimensions when damaged without the requirement that the homeowner obtain a "non-conforming structures" permit under CDC Chapter 66.
9. The sidewall provisions of CDC Chapter 43 shall apply

41.000 STRUCTURES ON STEEP LOTS, EXCEPTIONS

41.020 HEIGHT EXCEPTIONS

- A. If the ~~[average slope]~~ highest grade of a building site which fronts on the down slope side of the street is ~~[25 percent or]~~ greater than 10 feet above the lowest grade, as measured along the planes of the proposed structure, the total building height may not exceed ~~[-3-1/2 stories or 35-]~~ 45 feet as measured from the lowest grade at a point five feet downhill from the rear of the building, provided the building height does not project more than ~~[-21-]~~ 24 feet above the average grade of the street. In the R-15, R-20 and R-40 zones the 45-foot height may be increased to 50 feet.
- B. If the ~~[average slope]~~ highest grade of a building site which fronts on the upslope side of the street is ~~[25 percent or]~~ greater than 10 feet above the lowest grade, as measured along the planes of the proposed structure, the total building height shall not exceed 45 feet [-3-1/2 stories or 35 feet.] In the R-15, R-20 and R-40 zones the 45-foot height may be increased to 50 feet.

Height of homes on uphill slopes where there is more than a 10 foot difference between the rear and front elevation is measured from point five feet downhill from the front of the house to the peak or dominant ridgeline and shall not exceed 45 feet (50 feet in the R-15, R-20 and R-40 zones).



Height of homes on downhill slopes where there is more than a 10 foot difference between the rear and front elevation is measured from point five feet downhill from the rear of the house to the peak or dominant ridgeline and shall not exceed 45 feet (50 feet in the R-15, R-20 and R-40 zones). Front house height cannot be more than 24 feet above average street grade.

**43.000 SINGLE-FAMILY AND DUPLEX RESIDENTIAL SIDE-YARD TRANSITIONS**

**43.010 PURPOSE**

New homes, both infill and in new subdivisions, particularly new homes around the perimeter of the new subdivision, need to be compatible with adjacent existing homes especially when the new house is bigger than the existing one. To this end, transitions shall be required to avoid a monolithic and overbearing sidewall.

**43.020 APPLICABILITY**

These provisions shall apply to all new home construction and remodels in West Linn except in the following areas:

- 1) The Willamette Historic District
- 2) Historic Landmark Structures

**43.030 ADMINISTRATION**

The Planning Director shall apply the standards of this chapter during the administrative review of building permits. No notice is

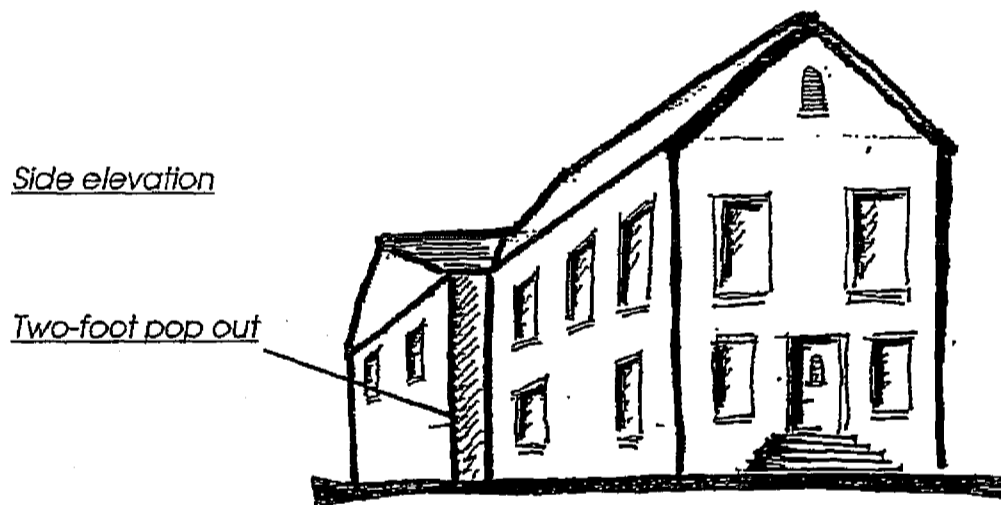
required. In the event that an individual or other party wants to appeal the Planning Director's decision relative to this chapter, they may appeal the decision to City Council within 14 days of the final decision per CDC 99.140 and 99.150. For the purpose of determining the date of the final decision it shall be the Planning Department's stamped approval date on the plans.

43.040

GENERAL PROVISIONS

New house construction or remodels to the side wall of existing homes shall transition to homes on either side by one of two methods (A), (B) or satisfy one of the exemptions (C)(1-6) listed below.

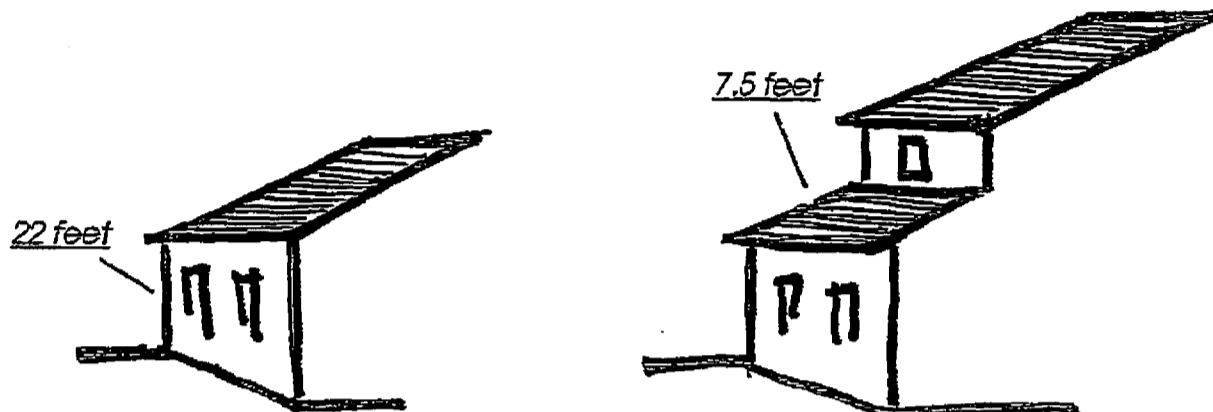
- A. The side elevation of the house must be divided into smaller areas or planes to minimize the appearance of bulk when viewed from the neighboring properties or a side street. When the side elevation of the house is more than 700 square feet in area, the elevation must be divided into distinct planes of 700 square feet or less. For the purpose of this standard, a distinct plane is created when there is a recessed or projecting section of the structure, that projects or recedes at least two feet, for a length of at least six feet.



700 square foot of vertical space on side elevation (any combination of height X width) requires a two-foot indentation or pop out



**B. The height of the sidewall shall not exceed 22 feet as measured from grade at the mid-point of the sidewall to the eaves. Sidewall can resume vertically after minimum 7.5' setback.**



*Sidewalls less than 22 feet high to eaves from average grade are exempt from pop-out/indentation requirement. Sidewall can resume vertically if set back 7.5 feet.*

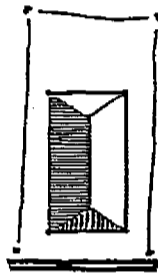
**C. Exemptions**

1. **Exempt the side of homes that are built 20 feet or more from the side lot line.**
2. **Exempt homes on steep lots where the peak of the roof would be no more than 24 feet above the average street grade.**
3. **Exempt homes on narrow lots 50 feet wide or less shall be allowed a minimum side-to-side width of 30 feet for floors above the first floor. The 30-foot wide floor shall be able to accommodate a nine-foot floor-to-ceiling measurement on the second floor.**
4. **Exempt homes whose side yards are contiguous to an open space, unbuildable area, or non-residentially zoned lands are exempt. (No exemption if adjacent to a park.)**
5. **Exempt houses that have the gable end facing the side lot line are exempt.**
6. **Replacement in kind of building materials on the sidewall of an existing house shall be exempt. For example, the replacement of siding would be exempt.**

EXEMPTIONS FROM SIDEWALL STANDARD



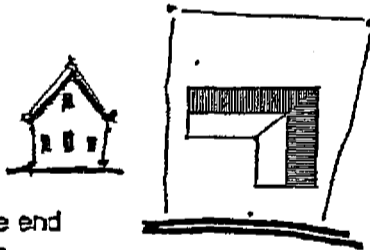
Homes on steep lots where the roof would be no more than 24' above average street grade



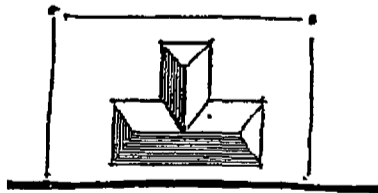
Homes on lots 50' wide or less can have second floor width of at least 30 feet.



Homes next to open space etc.



Homes with the gable end facing the side lot line.



Homes that are built 20' or more from side lot line

43.050

VARIANCE

In cases where the sidewall transitions and/or exemptions do not reasonably accommodate a house design, the applicant may apply for a Class II Variance under CDC Chapter 75.

\_P:devreview:CDC-/Sfdesign-June 12- 2006