

Chapter 4.6, ~~CottageCluster~~ Developments

4.6.100 Cottage Developments

A. **Purpose.** The purpose of this section is to provide a housing type that responds to changing household sizes and ages (e.g., retirees, small families, single-person households) and provides opportunities for ownership of small, detached single-family dwelling units within the Cottage Development. The Cottage Development supports the following principles:

1. Encourages the creation of more usable open space for residents of the development through flexibility in density and lot standards;
2. Supports the growth management goal of more efficient use of urban residential land;
3. Provides development standards to ensure compatibility with surrounding land uses; and,
4. Allows diversity of land uses within certain commercial zones as well as establishes smaller lot sizes and creative residential development within residential zones.

5. Does not apply to infill development of parcels without an approved master plan.

B. **Applicability and Permitted Uses.**

1. Cottage Developments are permitted in the R-Residential, ~~R~~-MFD Multi-Family Residential District, Sun Ranch Residential District, and in the portion of the Downtown Commercial (DC) District that allows new single family dwellings. Cottage developments are allowed as part of a master planned development.
2. Cottage Developments are reviewed under Cottage Development and Subdivision review processes in addition to the standards and criteria found herein. In the event of conflicts between this chapter and the underlying zoning, these standards and criteria supersede the standards and criteria found in the underlying zone.
3. Buildings accessory to a Cottage Development are subject to the development standards in this section.
4. On a lot to be used for a cottage housing development, existing detached single-family residential structures, which may be nonconforming with respect to the standards of this section, shall be permitted to remain, but the extent of the nonconformity may not be increased. Such nonconforming dwelling units shall be included in the maximum permitted cottage density.
5. Accessory dwelling units are not permitted within Cottage Developments.
6. Mixed-use developments (residential and commercial uses) are allowed in Cottage Developments located in the Downtown Commercial (DC) District.
7. Prior to recording a subdivision plat for any new or modified cottage development, all cottage developments shall provide Covenants, Codes and Restrictions (CC&RS) or similar enforceable document that provides assurance of the ongoing maintenance of all common areas within the Cottage Development. All agreements are subject to review and acceptance by the City of Sisters prior to enacting the agreement.

C. General Requirements.

1. Cottage development sites in residential districts shall be a minimum of one acre in gross area. Cottage developments ~~are also allowed~~ within approved Master Planned Developments shall be at least ½ (one half) acre ~~5 acres~~ in size within any residential district. There is no minimum size for cottage development sites in the eligible lots located within the Downtown Commercial District provided that all minimum standards for cottage developments are met.
2. Each cottage development shall contain a minimum of four cottages ~~and a maximum of 14 cottages per development.~~
- ~~3. A development site may contain more than one cottage development.~~
- ~~3. The permitted density within the Cottage Development shall be consistent with the underlying zoning. Density of the underlying zoning district with a cottage development may be increased by 25% in the R - District only.~~
4. Community buildings and all common areas within a cottage development shall be mutually owned by the Home Owner's Association or other legal mechanism and shall be for the use of the development's inhabitants. Alternative forms of maintaining common areas may be proposed and approved by the governing body on a case by case basis.
5. Alley access is ~~required where an alley is available~~ preferred where an alley is available. Alternate forms of access may be approved as part of the Master Plan.
6. New lots created as a part of a Cottage Development are not required to have frontage on either a public or private street.

D. Development Standards. The design standards and floor area requirements ensure that the overall size and scale including bulk and mass of cottage structures remain smaller and incur less visual impact than standard sized single-family dwellings.

1. Cottages.

- a. Minimum lot size within the Cottage Development is 2,000 square feet.
- ~~b. The minimum size of any cottage is 650 square feet.~~
- ~~e.b.~~ The total floor area of each cottage shall not exceed 1,250 ~~4,200~~ square feet and not to exceed 60% lot coverage.
- ~~d.c.~~ The loft shall not exceed 50% of the ground floor. The second level floor area shall not exceed 50% of the first floor area. For the purposes of this calculation, the area of interior stairway may be allocated between floors served.
- ~~e.~~ The maximum main floor area of a cottage is 1,000 square feet. For the purposes of this calculation, the area of interior stairway may be allocated between floors served.
- ~~f.~~ Cottages shall have a roofed porch at least 80 square feet in size with a railing and railing supports.

~~g. The porch shall be attached to a common area such as a living room, kitchen, family room or dining room inside of the house and shall not be adjacent to a bedroom or bathroom.~~

~~h. The total square foot area of a cottage may be increased, however at no time shall the size of the cottage exceed the maximum size for a cottage allowed by this code. A deed restriction shall be placed on the title to the property for the purpose of notifying future property owners that increases in the total square footage of a cottage beyond what is allowed by this code is prohibited for the life of the cottage or duration of the applicable Cottage Development regulations.~~

i.d. The maximum height of any cottage shall be defined by the underlying zoning district ~~not exceed 25 feet.~~

j.e. Cottage areas that do not count toward the total floor area calculation include:

- i. Unheated storage space located under the main floor of the cottage;
- ii. Architectural projections, such as bay windows or fireplaces;
- iii. Attached roofed porches;
- iv. Attached and/or detached garages;
- v. Spaces with a ceiling height of six feet or less measured to the exterior walls, such as in a second floor area under the slope of the roof.

~~k. Window placement within the cottages. One side wall of each cottage shall emphasize windows; the other side wall shall de-emphasize windows to allow privacy for the adjacent neighboring cottage. All cottages shall have windows and/or glass doors that face the commons.~~

l.f. Cottage setbacks:

- i. Front – 4 feet minimum to common open space.
- ii. Side – 5 feet minimum or 10 feet between habitable buildings.
- iii. Rear – 10 feet minimum.

~~iv. Interior separation – 10 feet minimum.~~

v.iv. 10' minimum to all streets.

2. **Community Building (if proposed).**

~~a. Required when 6 or more cottages are developed in a cottage development located within a residential district.~~

~~b. Minimum size is 650 square feet.~~

e.a. Setbacks:

- i. 20' from any cottage.
- ii. 10' from any property line.
- iii. 10' from any garage or accessory structure.
- iv. 5' from any driveway, access aisle or parking area.

3. **Garages.**

~~— One car garage is required per cottage.~~

~~b.a. Garages shall not have direct access to the street.~~ Garages having access to the street shall be approved at the discretion of the governing body if it is the only practical access solution to a particular site.

~~e.b. Garages~~ or covered parking spaces may be attached, detached, or clustered together.

~~d. Garages when accessed from a private alley shall be setback a minimum of 4 feet.~~

~~e.c. Garages~~ when accessed from a public alley shall be setback a minimum of 20-10 feet if front loaded or 3 feet if side loaded.

~~f.d. Garages~~ or covered parking spaces are may counted towards meeting the meeting the parking requirements.

4. ~~Private Alleys and Access Aisles.~~

~~a. A private alley shall be a minimum of 20 feet in width.~~ All alleys shall be constructed to current City standards.

~~a. A private alley and access aisle shall be setback 5 feet from perimeter property lines.~~

~~a. Access aisles to parking areas shall be a minimum of 24 feet in width.~~

5. **Parking Requirements.** The parking requirements are designed to ensure minimal visual impact from vehicular use and parking areas for residents of the Cottage Development and adjacent properties, and to maintain a single-family character along public streets.

~~a. Two 10' x 20' parking stalls shall be required per cottage.~~ One on-site parking spaces shall be required per studio or one bedroom cottage; One and one-half parking spaces for a two bedroom cottage and two on-site parking spaces shall be required for three or more bedroom cottages.

~~b. All required parking shall be provided on-site.~~ Permissible parking spaces include a garage (20' x 10' minimum), covered parking space or parking stall (18' x 9' minimum) or garage driveway (20' x 8' minimum).

~~c. Parking, including garages, shall not be located in-between a cottage and the front property line.~~

~~d. Parking may be either provided on individual lots or in a combined parking area or areas.~~ Parking areas shall be set back at least 20' from a street.

~~e. Garage driveways that are at least 20' long by 10' wide may count as parking.~~ On street parking directly adjacent to the development may be considered in fulfilling parking calculations, at the discretion of the governing bodies.

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6. **Building Orientation and Architectural Treatments.**

~~a. Community buildings, accessory buildings and garages shall match the architectural theme of the cottage development by incorporating similar design treatments on the community buildings, accessory buildings and garages.~~

~~a. Front and side elevations only shall front a street~~

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~~a-b.~~ Separation of Identical Building Elevations. Units of identical elevation types must be separated by at least two different elevations. This will result in at least three different elevations per cottage development. No two adjacent structures shall be built with the same orientation (reverse elevations do not count as different building elevations), facade, materials, and colors.

~~c.~~ Variety in Building Design. Design standards shall comply with the requirements of the underlying zone. A variety of building elements and treatments of cottages and accessory structures must be incorporated. Structures must include articulation, change in materials or texture, windows, or other architectural features.

~~d.~~ Rear elevations are allowed to face a public street as long as the design detailing is consistent with front or side elevations.

7. Screening Requirements.

- a. Parking areas shall be screened from public ~~and private~~ streets and cottages by landscaping, fencing or buildings where practicable.
- b. Boundaries between cottage dwellings and neighboring properties shall be screened with landscaping to reduce the appearance of bulk or intrusion onto adjacent properties, or otherwise treated (i.e., through setbacks or architectural techniques) to meet the intent of this section.
- c. Common waste and other storage receptacles shall not be placed in the front yard setback area.
- d. Common waste and other storage receptacles shall be architecturally screened and/or screened with landscaping so as to mask their appearance to residents, adjacent property owners, and the public rights-of-way.

8. Open Space.

a. Shared Open Space.

~~i. Cottages shall be arranged in a manner that at least two sides of a common open space abut each cottage unless otherwise approved by the review authority.~~

~~ii.~~ Shall provide a centrally located, focal area for the Cottage Development.

~~iii-ii.~~ Shall total a minimum of 500 square feet per cottage when all shared open space areas are combined.

~~iv. Shall abut at least 50 percent of the cottages.~~

~~vi. Shall be within 75 feet walking distance of each cottage.~~

~~viii-iii.~~ Common parking areas are not counted in the shared open space area requirements.

b. Private Open Space.

- i. Shall be a minimum of 300 square feet of private, contiguous, usable open space with no dimension less than 10 feet ~~adjacent to each dwelling unit~~, for the exclusive use of the cottage resident.

9. Landscaping.

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- a. ~~Layered space between porch and common area. Landscaping is an important feature to the transition between public and private spaces within Cottage Developments. The area between the commons and the covered porch shall be landscaped with vertically layered plant material. The width of the planted area shall be no less than 4' between any pedestrian pathway/ common area and the start of the covered porch. The height of the planted area may vary, but shall be no less than 1 foot lower than the top of the porch railing at its tallest point. Shall be provided in accordance with Chapter 3.2 Landscaping.~~

10. Pathways.

- a. ~~A minimum five foot wide paved pedestrian pathway (sidewalks) must be included to provide for movement of residents and guests from parking areas to each cottage, community building, interior courtyard and other amenities. Pathways shall be ADA compliant and a minimum four foot-wide paved pedestrian pathway (sidewalks).~~

11. **Public Improvements.** Every cottage development shall improve the public right of way immediately adjacent to the cottage development.

E. Cottage Development Submittal Requirements. The applicant shall submit an application containing all of the general information required for a Type III procedure, as governed by Chapter 4.1. In addition, the applicant shall submit the following:

1. A detailed project description by the applicant. This statement should include a description of the character of the proposed development and ~~the rationale behind the assumptions and choices made by the applicant~~ how the proposal integrates itself into the existing community or existing master plan as appropriate;
2. Burden of Proof documenting compliance with all applicable approval criteria;
3. Complete application form with fee;
4. Electronic copies of all materials submitted (acceptable file types to be determined by the Community Development Director or designee); and,
5. Preliminary title report or equivalent printed within 90 days of the date of the application submittal.
6. Existing Conditions Site Plan.
7. Topographic Map at appropriate contour intervals to be determined by the Community Development Director.
8. Access and Circulation Map.
9. Site Plan – proposed.
10. Landscape/Open Space Plan.
11. Utility Plan.
12. Conceptual Drainage Plan (to include benchmarks and elevations at staffs discretion).
13. Elevations and floor plans of all proposed buildings.

14. Tentative Plat.
15. Copy of all existing covenants and restrictions, and general description of proposed restrictions or covenants (e.g., for common areas, access, parking, etc.).
16. Special studies prepared by qualified professionals may be required by the Community Development Director, Planning Commission or City Council to determine potential traffic, geologic, noise, environmental, natural resource and other impacts, and required mitigation.

F. **Cottage Development Approval Criteria.** The City shall make findings that all of the following criteria are satisfied when approving, or approving with conditions, the Cottage Development. The City shall make findings that at least one of the criteria is not satisfied when denying an application:

1. Land Division Chapter. All of the requirements for land divisions, as applicable, shall be met (Chapter 4.3);
2. Chapter 2 Land Use and Chapter 3 Design Standards. Land use and design standards contained in Chapter 2 and 3 are met, except as modified by Section 4.6.100.
3. Property Development Standards. Land use and design standards contained in Section 4.6.100 are met.
4. Architectural Features. The Cottage Development includes architectural features that complement and enhance positive characteristics of the site and surrounding area. Setbacks from streets shall be staggered or buildings otherwise provided with architectural features that assure variety and interest along the street. ~~Cottage Developments in the Commercial District shall comply with the 1880's Western Frontier Design Theme.~~
5. Compliance with Purpose of Cottage Development Chapter. The Cottage Development substantially meets the purpose of Section 4.6.100; and,
6. Conformance with applicable Public Works, Building and Fire code standards.

G. **Approval Durations, Extensions and Amendments**

1. Cottage Development Approval Duration. The Cottage Development approved by the Planning Commission shall expire ~~three (3)~~two (2) years from the date on which the decision is final, if no construction or significant infrastructure improvements of the planned unit development has been initiated.
2. Extension. The City may, upon written request by the applicant and payment of the required fee, grant up to two (2) one-year extensions of the approval period. The first extension may be approved administratively. The second extension, if needed, shall be considered and may be granted by the original decision body at their discretion. Extensions may be considered if:
 - a. No changes, unless modified as permitted in Chapter 4.1.700, have been made on the original Cottage Development as approved;
 - b. There have been no changes to the applicable Comprehensive Plan policies and ordinance provisions on which the approval was based; and
 - c. The extension is requested before expiration of the original approval.

H. **Modification to an Approved Cottage Development.** All proposed cottages and accessory buildings that are not reviewed under the initial land use review during the establishment of the Cottage Development through a land use review process are subject to the following:

1. The following minor modification examples may be approved administratively by the Community Development Director;
 - a. An increase to the amount of open space or landscaping;
 - b. Changes to dimensional standards identified in Section 4.6 as long as the minimum requirements are satisfied. Changes to dimensional standards approved as part of a land division shall be reviewed using Chapter 4.3 Land Divisions.
 - c. The location of buildings, proposed streets, parking and landscaping or other site improvements shall be as proposed, or as modified through conditions of approval. Changes in the location or alignment of these features by 25 feet or less or other changes of similar magnitude may be approved administratively. Changes to locations approved as part of a land division shall be reviewed using Chapter 4.3 Land Divisions.
2. Other modifications are major modifications. See Chapter 4.1
3. The Community Development Director or the applicant shall have the right to refer a proposed amendment directly to the Planning Commission for their determination of whether or not the amendment creates a substantial adverse impact to the approved Cottage Development.