



Economic & Capital Development Department

380 A Avenue
PO Box 369
Lake Oswego, OR 97034

Land Use & Zoning

Sealed Bid Auction

706 & 716 McVey Ave

503-534-4225
www.ci.oswego.or

NOTICE: This publication provides only a brief summary of a select portion of the Lake Oswego Community Development Code and is intended to be used as an informal discussion document. As such, it should not be solely relied upon as the sole source for zoning, development or other information. It is also not a guarantee that a particular development request could or will be approved or denied.

In addition, the City strongly advises any potential bidder to contact the Lake Oswego Corporation for information regarding corporation structure, shareholder assessments, share transfers, lake access rights, boating and waterfront development.

Contact Information:

Lake Oswego Planning Department 503-635-0290
Lake Oswego Building Department 503-635-0390
Lake Oswego Corporation 503-636-1422

Lake Oswego Community Development Code:

<http://www.codepublishing.com/or/lakeoswego/?LakeOswego50/LakeOswego50.html>

Interactive Map (Zoning, overlays, aerial, contours, soils, utilities, etc):

http://gis.ci.oswego.or.us/public/flexmap/flexmap.html?map=Zoning_Map

This information sheet identifies the zoning and applicable development standards for the two City-owned residential properties located at 706 and 716 McVey Avenue (Tax Lots 500 and 600 of Map 21E 10DB, respectively. See attached tax assessor's map and aerial). Both lots are currently vacant.

- (1) **Zoning:** The properties are zoned R-7.5, Low Density Residential. For residential uses, this zone allows single-family detached dwellings and zero lot line dwellings. For a complete list of permitted and conditional uses in the zone, refer to Table 50.03.002-1 in the Community Development Code (LOC Chapter 50).
- (2) **Lot Size:** Both lots are smaller than the 7,500 square foot minimum required by the R-7.5 zone. 706 McVey is approximately 3,865 square feet. 716 McVey is approximately 4,667 square feet. They are legal lots of record and can each be developed separately. However, any new development would need to meet applicable zoning and design standards. Alternatively, the two lots could be combined to create a larger lot of approximately 8,532 square feet.

(3) **Dimensional Standards:** The applicable dimensional standards for the R-7.5 zone are shown below. For zero lot line development, the exterior side setbacks are each 10 feet. Refer to Table 50.04.001-1 in the Community Development Code for the complete table.

Setbacks	
-Front	25 feet
-Side (Height ≤ 18 feet)	Minimum 5 feet, total combined 15 feet
-Side (Height > 18 feet)	10 feet
-Rear	30 feet
-Oswego Lake	25 feet
Height (Lot with sloping topography)	28-32 feet
Lot Coverage	25-35%, depending on height of structure. See Table 50.04.001.2
Floor Area	Formula: 3,000 s.f. + [(actual lot size – 5,800 s.f) x 0.19] = maximum square footage. Add 600 square feet if garage provided on site.

(4) **Design Standards:** The structure design standards of LOC 50.06.001.2 include the Front and Side Yard Setback Planes, Side Yard Appearance and Screening, and Garage Appearance and Location.

(5) **Flood Plain and Floodway:** There appears to be no floodway mapped on either property; the floodway boundary lies approximately at the rear property lines abutting Oswego Lake. The 100-year flood plain is mapped on the northern halves of both properties. Development, including the placement of fill, is permitted in the 100-year flood plain, provided the lowest habitable floor is elevated to at least one foot above the base flood elevation (50.05.011.7). In general, height is measured from existing or lowered grade; thus, elevating the grade may affect lot coverage and design of the building (see Table 50.04.001-2 in the Community Development Code). However, in the Flood Management Area, if fill is used to elevate the ground floor above the base flood elevation, the height of the structure is measured from the elevated ground surface.

(6) **Special Street Setback:** McVey Avenue currently has a 60 foot right-of-way, and there is a Special Street Setback of 40 feet along this portion of McVey (50.04.002). The Special Street Setback is measured from the center of the right-of-way. For both lots (or one lot if combined), this increases the front setback requirement from 25 feet to 35 feet, as measured from the front property line. The Special Street Setback cannot be reduced, however, the 25 foot front setback could be reduced by variance, front setback averaging (if applicable [50.04.003.3.a]), or Residential Infill Design (RID) review. See Variances and Residential Infill Design (RID) processes, below.

(7) **Trees:** There is a tree on 716 McVey, located near the southwest corner of the property. There appear to be trees on the abutting property to the west that may require a Tree Protection permit for development of the site(s).

(8) Variations and RID: Some of the development standards identified above may be reduced through the variance or residential infill design review processes. The discussion in this information sheet is not an assurance that a request for a variance or a RID exception will be granted.

- **Minor Variance** is a small change from Code requirements which will have little or no effect on adjacent properties or users. Minor Variations include a reduction in a setback requirement of 20% or less and an increase of up to 15% of maximum allowed lot coverage.
- **Hardship Variance** is a significant change from Code requirements and is likely to create impacts on adjacent properties or users. Hardship Variations include setback reductions of more than 20% and variations to building height.
- **Residential Infill Design (RID)** process allows exceptions to certain development standards where an alternative design is compatible with the surrounding development. Exceptions to dimensional standards (floor area, lot coverage, yard setbacks and building height) and design standards (front and side yard setback planes, garage openings) may be granted under RID.

(9) Land Use Process and Timelines: Variations and RID are minor developments which require a pre-application conference. Following the pre-application conference, the applicant can submit a land use application for development review. The review process, starting with the submittal for the pre-application process, generally takes about 3-4 months. Building permits are issued after the completion of the land use approval process.

Fees for applicable development review procedures are as follows (2012):

Pre-Application Conference

- Variance, Minor or Hardship: \$395
- RID \$608 - \$2,335

Land Use Application

- Minor Variance: \$2,948 for 1st, each additional \$325
- Hardship Variance: \$3,400 for 1st, each additional \$437
- RID \$1,727