

## **Chapter 2 — Land Use Districts**

- 2.1 – Residential District (R)**
- 2.2 – Commercial District (DD)**
- 2.3 – General Industrial District (GI)**
- 2.4 – Light Industrial District (LI)**
- 2.5 – Master Planned Neighborhood Development**
- 2.6 - Open Space Districts (OS)**
- 2.7 – Flood Plain/Floodway Overlay (FP)**

## Chapter 2.1 — Residential (R) District

### Sections:

- 2.1.100 -- Purpose
- 2.1.110 -- Permitted Land Uses
- 2.1.120 -- Building Setbacks
- 2.1.130 -- Lot Area and Dimensions
- 2.1.140 -- Infill Development - Flag Lots and Lots Accessed by Mid-Block Lanes
- 2.1.150 -- Residential Density
- 2.1.160 -- Maximum Lot Coverage
- 2.1.170 -- Building Height
- 2.1.180 -- Building Orientation
- 2.1.190 -- Design Standards
- 2.1.200 -- Special Standards for Certain Uses
- 2.1.300 -- Residential Sub-Districts
- 2.1.400 -- Urban Holding (UH)
- 2.1.500 -- Multi-Family (MF)
- 2.1.600-- Manufactured Home Park (MH)

### 2.1.100 Purpose.

The Residential District is intended to promote the livability, stability, and improvement of the City of Stanfield’s neighborhoods. This chapter provides standards for the orderly expansion and improvement of neighborhoods based on the following principles:

- Make efficient use of land and public services, and implement the Comprehensive Plan, by providing minimum and maximum density standards for housing.
- Accommodate a range of housing needs, including owner-occupied and rental housing.
- Provide for compatible building and site design at an appropriate neighborhood scale.
- Reduce reliance on the automobile for neighborhood travel and provide options for walking and bicycling. Provide direct and convenient access to schools, parks, and neighborhood services.
- Maintain and enhance the City’s historic characteristics.

### 2.1.110 Permitted Land Uses.

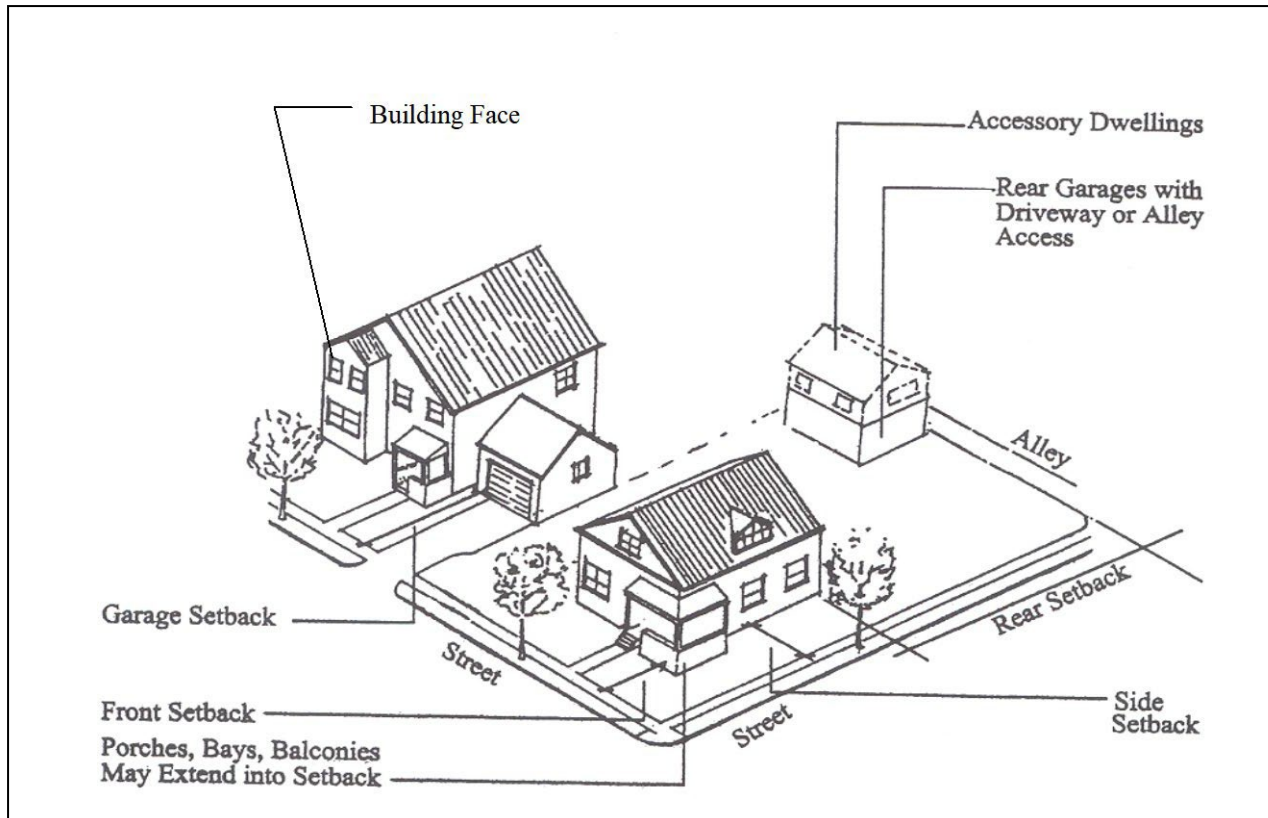
- A. Permitted Uses.** The land uses listed in Table 2.1.110.A are permitted in the Residential District, subject to the provisions of this Chapter. Only land uses that are specifically listed in Table 2.1.110.A, and land uses that are approved as “similar” to those in Table 2.1.110.A, may be permitted. Land uses identified as “Sub-district Only” are permitted only within the applicable sub-district. The land uses identified with a “CU” in Table 2.1.110.A require Conditional Use Permit approval prior to development or a change in use, in accordance with Chapter 4.4.
- B. Determination of Similar Land Use.** Similar use determinations shall be made in conformance with the procedures in Chapter 4.8 - Interpretations.

| <b>Table 2.1.110.A</b><br><b>Land Uses and Building Types Permitted in the Residential District</b>   |  |   |
|---|--|---|
| <b>1. Residential:</b><br><i>Single-family</i><br>a. Single-family detached housing<br>b. Single-family detached zero-lot line housing*<br>c. Accessory dwellings*<br>d. Manufactured homes on individual lots*<br>e. Manufactured Home Park (MH Sub-district only)*<br>f. Single-family attached townhomes not to exceed a cluster of six)*<br><br><i>Two- and Three-Family</i><br>g. Two- and three-family housing (duplex and triplex)*<br><br><i>Multi-family</i><br>h. Multi-family housing (MF Sub-district only)*<br>i. Cottage cluster development<br>j. Condominiums<br>k. Townhomes<br><br><i>Residential care</i><br>l. Residential care homes and facilities*<br>m. Group Living Facilities*<br>n. Family daycare<br>o. Medical Hardship* | <b>2. Agricultural</b><br>(UH Sub-district only).<br><br><b>3. Home occupations*</b><br><br><b>4. Public and Institutional (CU)*:</b><br>a. Churches and places of worship<br>Clubs, lodges, similar uses<br>b. Government offices and facilities (administration, public safety, transportation, utilities, and similar uses)<br>c. Libraries, museums, community centers, and similar uses<br>d. Public parks and recreational facilities<br>e. Schools (public and private)<br>f. Uses like those listed above.<br><br><b>5. Transportation Facilities and Improvements:</b><br>a. Normal operation, maintenance;<br>b. Installation of improvements within the existing right-of-way;<br>c. Projects identified in the adopted Transportation System Plan not requiring future land use review and approval; | d. Landscaping as part of a transportation facility;<br>e. Emergency Measures;<br>f. Street or road construction as part of an approved subdivision or partition;<br>g. Transportation projects that are not designated improvements in the Transportation System Plan ** (CU); and<br>h. Transportation projects that are not designed and constructed as part of an approved subdivision or partition.** (CU)<br><br><b>6. Bed &amp; breakfast inns and vacation rentals (CU)*</b><br><br><b>7. Accessory Uses and Structures</b><br>* (This does not include Accessory Dwelling Units, which are included under “single family” in Section 1 of this Table.)<br>a. Public and Private Utilities reviewed through the Type I process. |
| Uses marked with an asterisk (*) are subject to the standards in Section 2.1.200, “Special Standards for Certain Uses.” Temporary uses are subject to the standards in Section 4.9. ** Uses marked with 2 asterisks are subject to the standards in Section 4.4.500. CU = Conditional Use Permit Required   |  |   |

*Only uses specifically listed in Table 2.1.110.A, and uses similar to those in Table 2.1.110.A, are permitted in the Residential District.*

## 2.1.120 Building Setbacks.

Figure 2.1.120 Building Setbacks



Building setbacks provide space for private yards, and building separation for fire protection/security, building maintenance, sun light and air circulation. This section is also intended to promote human-scale design and traffic calming by downplaying the visual presence of garages along the street and encouraging the use of extra-wide sidewalks and pocket parks in front of corner markets and other non-residential uses. The standards encourage placement of residences close to the street for public safety and neighborhood security.

Building setbacks are measured from the face of the building, excluding porches, to the respective property line. Setbacks for decks and porches are measured from the edge of the deck or porch to the property line. The setback standards, as listed on the following page and illustrated in Figure 2.1.120 above, apply to primary structures as well as accessory structures. A Variance is required in accordance with Chapter 5.1 to modify any setback standard.

### A. Front Yard Setbacks

1. Residential Uses (detached and attached single family, duplex and triplex, multi-family housing types)
  - a. A minimum setback of 10 feet is required with garages being setback 20 feet. See also, Section G below, which provides specific standards for Setbacks in Established Residential

Areas.

- b. Multi-family housing shall also comply with the building orientation standards in Section 2.1.180.

2. Public and Institutional Buildings.

Public and Institutional Buildings shall have the same setback as a home, except for buildings that do not receive the public (e.g., buildings used solely for storage or housing mechanical equipment, and similar uses).

**B. Rear Yard Setbacks**

The minimum rear yard setback shall be 10 feet for street-access lots, and 6 feet for alley-access lots (all structures).

**C. Side Yard Setbacks**

The minimum side yard setback shall be 5 feet on interior side yards, and 15 feet on street corner yards. When zero-lot line development is permitted, the minimum side yard setbacks shall be 10 feet minimum on one side of the dwelling unit, and no setback required on the opposite side. If on a corner lot the 15 feet is still applicable to assure vision clearance. (See standards for zero-lot line housing in Section 2.1.200.)

**D. Garages.**

Garages shall be set back 20 feet from any street they are facing.

**E. Setback Exceptions**

The following architectural features are allowed to encroach into the setback yards: Eaves, chimneys, bay windows, overhangs, and similar architectural features may encroach into setbacks by no more than 3 feet. Porches, decks, and similar structures not exceeding 36 inches in height may encroach into setbacks by no more than 6 feet, subject to the front yard setback provisions in “A” above. Walls and fences may be placed on property lines, subject to the standards in Chapter 3.2 – Landscaping and Fences and Walls. Walls and fences within front yards shall additionally comply with the vision clearance standards in Section 3.1.200.M.

Accessory structures less than 200 square feet in the back yard can be placed with a 1-foot setback for both the side and rear yard. Accessory structures 200 square feet or greater can be placed with a 5-foot setback if limited to a single story.

**F. Special Yards – Distance Between Buildings on the Same Lot**

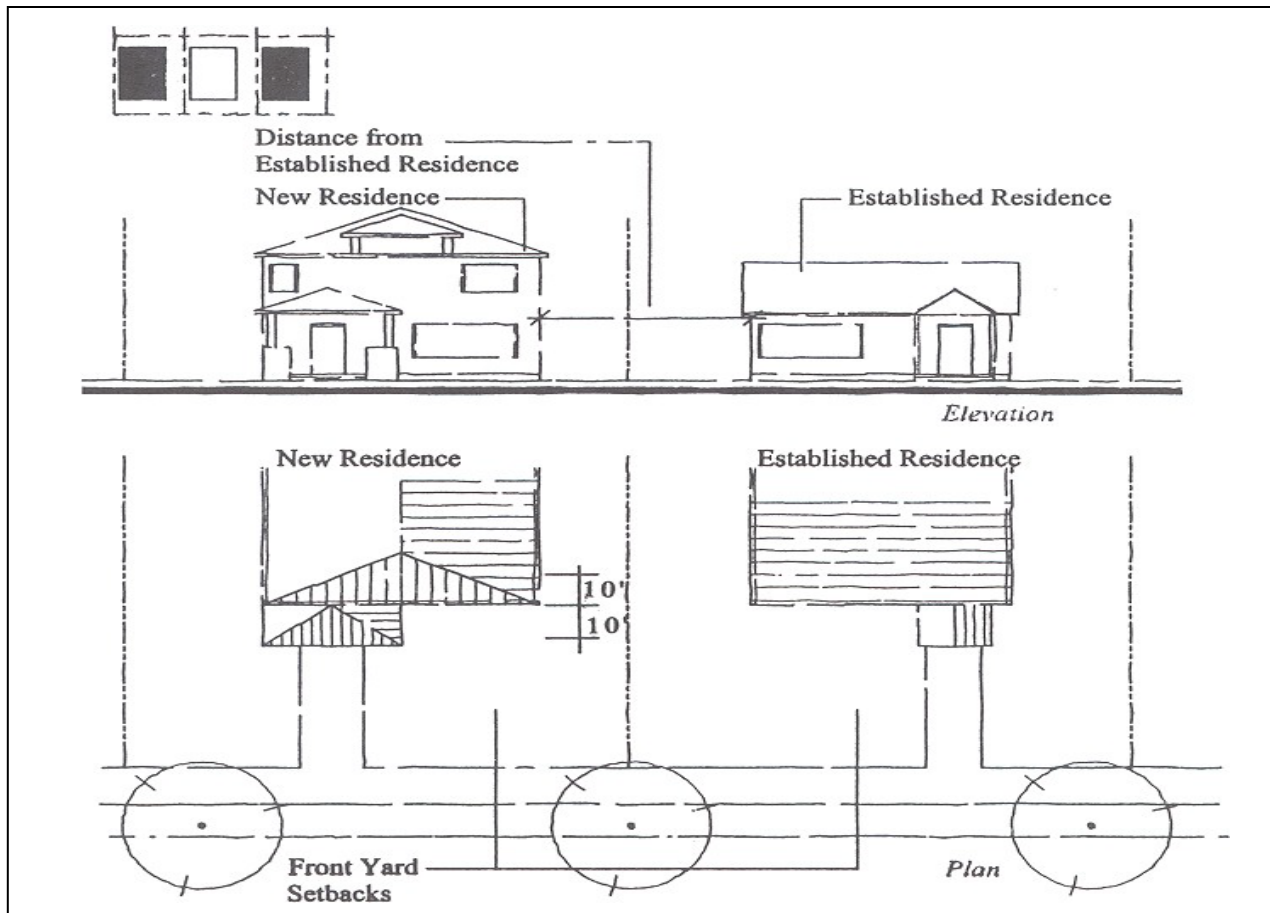
To provide usable yard area and allow air circulation and light, the minimum distance between buildings on the same lot shall be at least one-half ( $\frac{1}{2}$ ) the sum of the height of both buildings; provided, however, that in no case shall the distance be less than 10 feet. This requirement shall also apply to portions of the same buildings separated from each other by a court, landscape yard, or other open space.

**G. Setbacks for New Development on a Street with Existing Homes.**

To provide for continuity along residential streets, new development of vacant lots on blocks that are already developed shall have similar setbacks as described below.

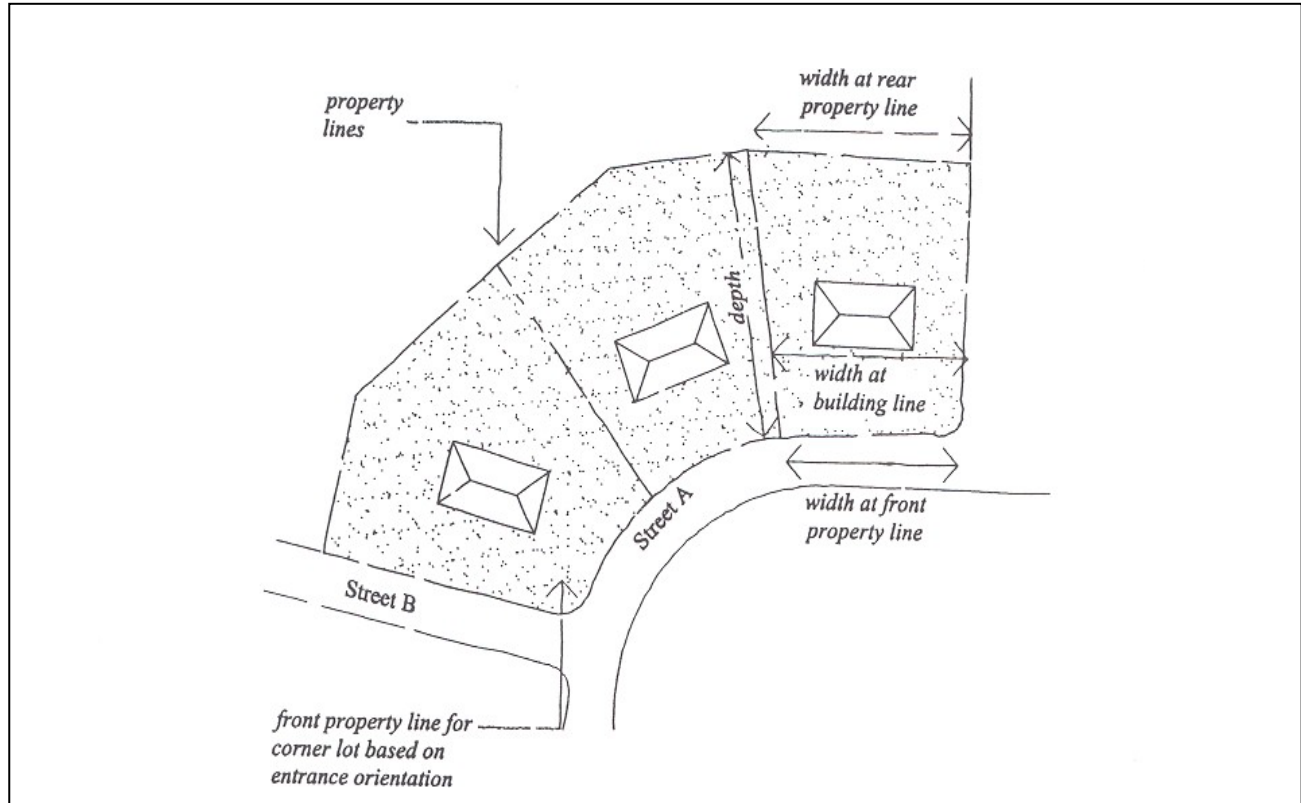
1. When an existing single-family residence on the same street is located within 40 feet of the subject site, a front yard setback similar to that of the nearest single-family residence shall be used. "Similar" means the setback is within 10 feet of the setback provided by the nearest single-family residence on the same street. For example, if the existing single-family residence has a front yard setback 20 feet, then the new building shall have a front yard setback between 10 feet and 30 feet. If the new building is to be located between two existing residences, then the setback for the new building shall be based on the average setback of both adjacent residences, plus or minus 10 feet.
2. In no case shall a front yard setback be less than 10 feet. Zero-lot line houses shall comply with the standards for zero-lot line housing in Section 2.1.200.
3. The standards in 1-2 shall not be changed, except through a Class B Variance (i.e., to avoid significant trees, topographic constraints, wetlands, or other areas subject to flooding).

**Figure 2.1.120.G – Infill/Established Residential Area Setbacks**



### 2.1.130 Lot Area and Dimensions

Figure 2.1.130 – Lot Dimensions



| <b>Land Use</b>   | <b>Lot Area</b>  | <b>Lot Width/Depth</b>   | <b>Related Standards</b>   |
|---|--|--|--|
| <b>Detached Single Family Housing or Manufactured Homes on Lots within 300 feet or less of a sewer and water line</b>           | Minimum area:<br>5,000 square feet.<br><br>Maximum area:<br>One acre.                    | Lot Width: Minimum lot width shall be 50 feet and 25 feet on a cul-de-sac.<br>Lot Depth: | The average lot area and residential floor area in new developments shall conform to the standards in Section 2.1.150 – Residential Density and Building Size. |
| <b>Detached Single Family Housing or Manufactured Homes on new Lots more than 301 feet from the nearest sewer or water line</b> | Minimum area:<br>Two acres.<br><br>Maximum area:<br>None. Future division plan required. | Lot width: Minimum lot width shall be 50 feet and 25 feet on a cul-de-sac.<br>Lot Depth: | The average lot area and residential floor area in new developments shall conform to the standards in Section 2.1.150 – Residential Density and Building Size. |

| <b>Land Use</b>  | <b>Lot Area</b>   | <b>Lot Width/Depth</b>  | <b>Related Standards</b>   |
|--|---|---|--|
| <b>Two-and Three-Family Housing (duplex and triplex)</b> | Minimum area: 6,000 square feet.<br><br>Maximum area: 10,000 square feet.   | Lot width: Minimum lot width shall be 50 feet for an interior lot, 70 feet for a corner lot, and 25 feet for a cul-de-sac.  | The average lot area and residential floor area in new developments shall conform to the standards in Section 2.1.150 – Residential Density and Building Size. |
| <b>Attached Single Family Housing (Townhome)</b>         | Minimum area: 3,000 square feet.<br><br>Maximum area: 4,500 square feet   | Lot width: The minimum lot width shall be 20 feet at the front building line.   | The average lot area and residential floor area in new developments shall conform to the standards in Section 2.1.150 – Residential Density and Building Size. |
| <b>Multi-family Housing (more than 3 units)</b>          | Minimum area: The minimum lot area shall be 7,500 square feet or 2,000 square feet per dwelling unit, whichever is greater. | Lot Width: The minimum lot width shall be 60 feet for an interior lot, 70 feet for a corner lot, and 25 feet on a cul-de-sac.<br>Minimum Width: 50 feet at front property line.<br>Maximum Depth: None. | The maximum lot/parcel area is controlled by the Block Area standards in Chapter 3.1 – Access and Circulation.   |
| <b>Manufactured Home Parks</b>                           | See Section 2.1.200 for Manufactured Home Park standards.   |   |  |
| <b>Public and Institutional Uses</b>                     | Lot area: Adequate space to allow for the proposed use.   | Lot Width:<br>The minimum lot width shall be 50 feet for an interior lot, 70 feet for a corner lot, and 25 feet on a cul-de-sac.<br><br>Maximum Depth: None.  | The maximum lot/parcel area is controlled by the Block Area standards in Chapter 3.1 – Access and Circulation.<br><br>See Special Standards for Certain Uses   |

#### **2.1.140 Infill Development - Flag Lots and Lots Accessed by Mid-Block Lanes.**

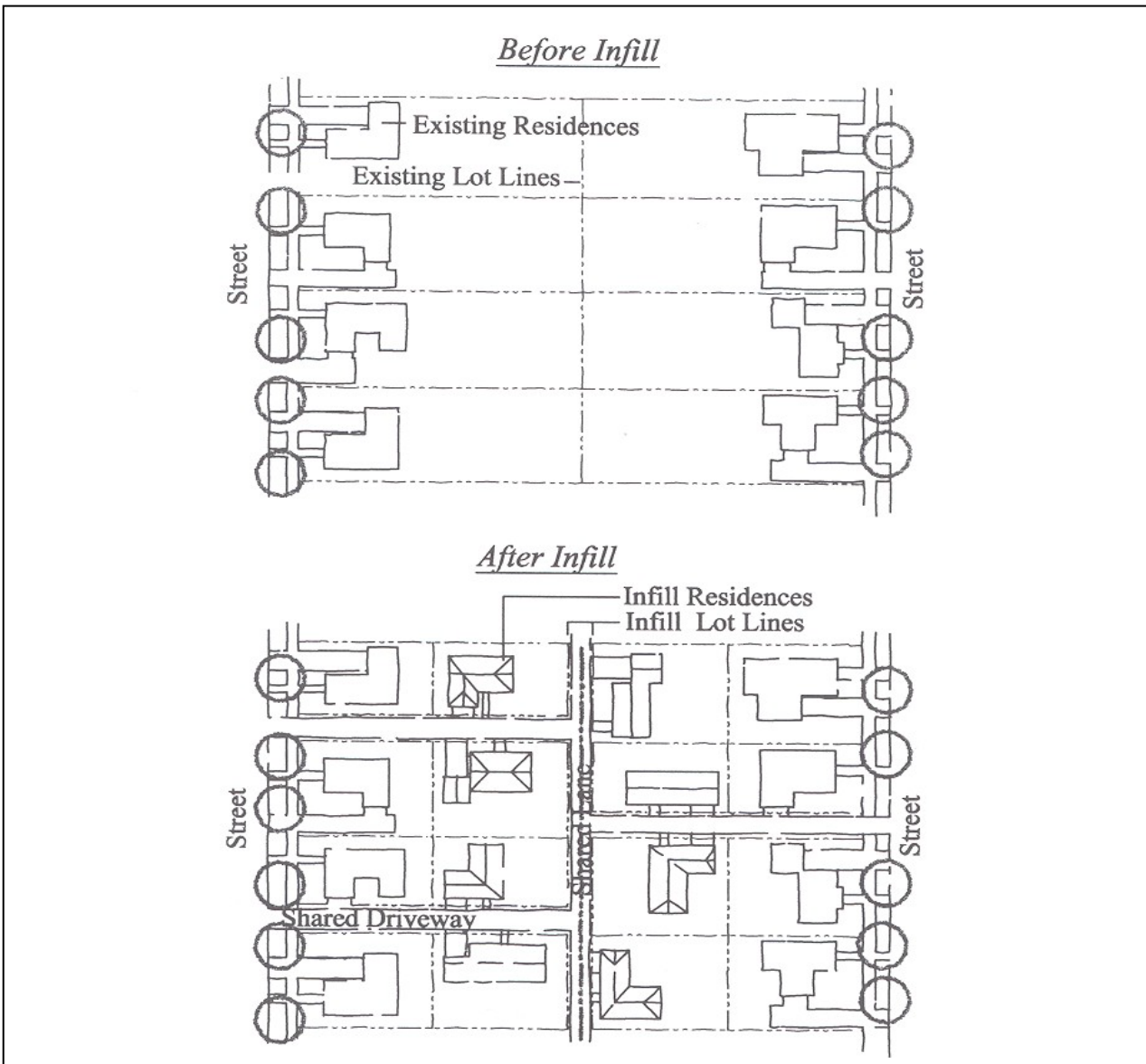
As shown below, some lots in existing neighborhoods may have standard widths but may be unusually deep compared to other lots in the area. Essentially unused space at the back of a lot may provide room for one or more lots for infill housing. Infill lots may be developed as “flag lots” or “mid-block developments”, as illustrated below:

- A. Mid-block Lanes.** Lots may be developed without frontage onto a public street when the lot access is provided by a series of mid-block lanes, as shown above. Mid-block lanes shall be required



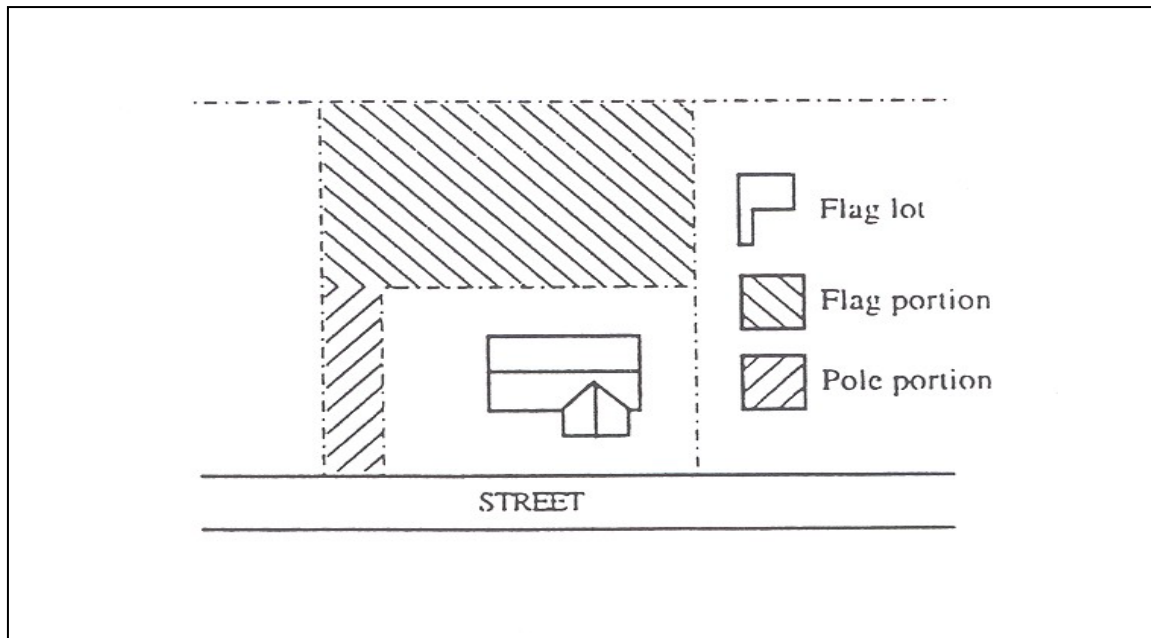
whenever practicable as an alternative to approving flag lots. The lanes shall meet the standards for alleys, per Chapter 3.4.100.R, and subsections C-F, below.

**Figure 2.1.140.A Mid-Block Infill**



- B. Flag Lots.** Flag lots may be created only when mid-block lanes cannot be extended to serve future development. A flag lot driveway may serve no more than two (2) dwelling units, including accessory dwellings and dwellings on individual lots, unless Uniform Fire Code (UFC) standards are met for more units. When UFC standards are met, the maximum number of dwellings shall be six (6). A drive serving more than one lot shall have a reciprocal access and maintenance easement recorded for all lots. No fence, structure or other obstacle shall be placed within the drive area.

Figure 2.1.140.B – Flag Lot (Typical)



- C. **Driveway and Lane Width.** The minimum width of all shared drives and lanes shall be 12 feet; the maximum width is 20 feet, except as required by the Uniform Fire Code.
- D. **Dedication of Drive Lane.** The owner shall dedicate 12 feet of right-of-way or record a 12-foot easement.
- E. **Each Property Sharing A Drive For Vehicle Access Similar To An Alley.** Dedication or recording, as applicable, shall be indicated on the face of the subdivision or partition plat.
- F. **Maximum Drive Lane Length.** The maximum drive lane length is subject to the requirements of the Uniform Fire Code but shall not exceed 150 feet for a shared side drive, and 400 feet for a shared rear lane.
- G. **Future Street Plans.** Building placement and alignment of shared drives shall be designed so that future street connections can be made as surrounding properties develop (i.e., as shown in Figure 2.1.140A).
- H. **Limits on Flag Lots.** Flag lots shall not be permitted when the result would be to increase the number of properties requiring direct and individual access connections to the State Highway System or other arterials.

#### 2.1.150 Residential Density and Building Size.

- A. **Density Calculation.** Minimum and maximum housing densities are calculated by multiplying the parcel or lot area by the applicable density standard. For example, if the total site area is five (5) acres, and the minimum allowable density is 3 dwelling units per acre, then a minimum of 30 units is

required. The equivalent average lot size (i.e., for single family dwellings) is determined by subtracting street right-of-way, water quality facilities and other non-buildable areas from the site, then dividing the remaining (net) area by the number of units.

For example, a 5-acre site of 217,800 square feet with a minimum density of 3 units per acre with an allowance of 25 percent for streets and other non-buildable areas, would create an “average single family lot size” as follows:  $217,800 \text{ square feet} \times 0.75 / 15 \text{ units} = 10,890 \text{ square feet}$  for each parcel. This is only one example; actual lot sizes will vary based on the proposed building type and the lot area standards in Section 2.1.130. Flag poles on flag lots shall be considered not buildable for the purpose of calculating densities. (See Figure 2.1.140B.)

- B. Residential Density Standard.** The following density standards apply to all new subdivisions (creation of 4 or more lots). The standards are intended to ensure efficient use of buildable lands and provide for a range of needed housing, in conformance with the Comprehensive Plan.
1. New Residential District subdivisions shall provide for housing at densities between 3 dwelling units per net acre minimum and 8.72 units per net acre maximum, except in sub-districts with different density standards.
  2. Development within the Multi-Family Sub-district shall provide housing at densities of a minimum of 6 and a maximum of 30 units per net acre.
  3. The density standards may be averaged over more than one development phase (i.e., as in a master planned development). Duplex and triplex lots used to comply with the density standard shall be so designated on the final subdivision plat.
  4. The following types of housing are exempt from the minimum density standards: Residential care homes/facilities and bed and breakfast inns that are located in a residential area.
  5. Development that is not a subdivision, such as a partition of three lots or fewer, or construction of a single-family home, shall be planned to so that land is used efficiently, and future development can occur at minimum densities.
- C. Density Transfers.** The purpose of this section is to implement the comprehensive plan and encourage the protection of open spaces through the allowance of housing density transfers. “Density Transfers” are the authorized transfer of allowed housing units from one portion of a property to another portion of the same property, or from one property to another property.
1. **Determination of Allowable Housing Units.** The number of allowed housing units on a property is based on the surface area of the property (acres) times the maximum allowed housing density.
  2. **Density Transfer Authorized.** Allowed housing units may be transferred from one portion of a property to another portion of the same property, or from one property to another property. A density transfer shall not be approved unless it meets one or more of the standards in 1-3 below, and it conforms to subsections 3 and 4:
    - a. Protection of identified sensitive land areas either by dedication to the public or a land trust, or by a non-revocable conservation easement. Sensitive land areas include:

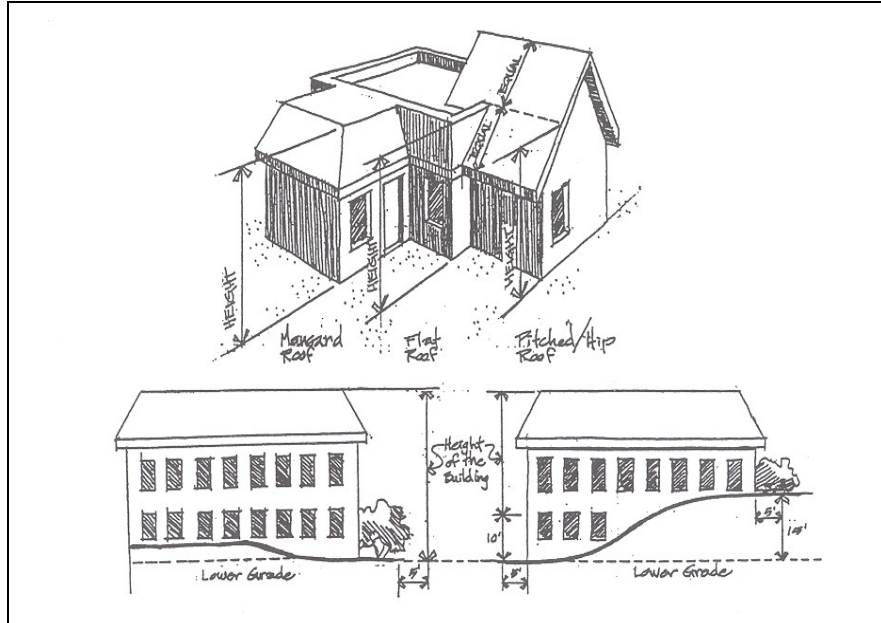
- Land within the 100-year floodplain;
  - Land or slopes exceeding 20%;
  - Drainage ways; or
  - Wetlands.
- b. Dedication of land to the public for park or recreational purposes; or
- c. The density transfer is used to develop a mix of single family and multi-family housing on the same property or development site.
3. **Prohibited Density Transfers.** Density shall not be transferred from land proposed for street right-of-way, stormwater detention facilities, private streets, and similar areas that do not provide open space or recreational values to the public.
4. **Density Transfer Standards.** All density transfers shall conform to all the following standards:
- a. Allowed housing units shall be transferred only to buildable lands (“receiving areas”). The number of allowed housing units shall be reduced on properties from which density is transferred (“sending areas”) based on the number of housing units transferred. The new number of housing units allowed on the sending area shall be recorded on a deed for the property that runs with the land. The deed shall state that the number of allowed housing units is subject to review and approval by the City, in accordance with current zoning and development codes;
  - b. The number of units which can be transferred is limited to the number of units which would have been allowed on 100 percent of the unbuildable area if not for these regulations;
  - c. The total number of housing units per property or development site shall not exceed 100 percent of the maximum number of units per gross acre permitted under the applicable comprehensive plan designation; except as otherwise permitted through the Master Planned Development process (Chapter 4.5); and
  - d. All density transfer development proposals shall comply with the development standards of the applicable land use district, except as otherwise allowed by the Master Planned Development process (Chapter 4.5).

#### **2.1.160 Maximum Lot Coverage.**

- A. Maximum Lot Coverage.** The following maximum lot coverage standards shall apply to all development in this district:
- a. Single Family Detached Houses – 40 percent
  - b. Duplexes and Triplexes – 60 percent
  - c. Single Family Attached Townhomes – 60 percent
  - d. Multiple Family Housing – 60 percent
  - e. Neighborhood Commercial and Public/Institutional Uses – 80 percent
- B.** Compliance with other sections of this code may preclude development of the maximum lot coverage for some land uses.

### 2.1.170 Building Height.

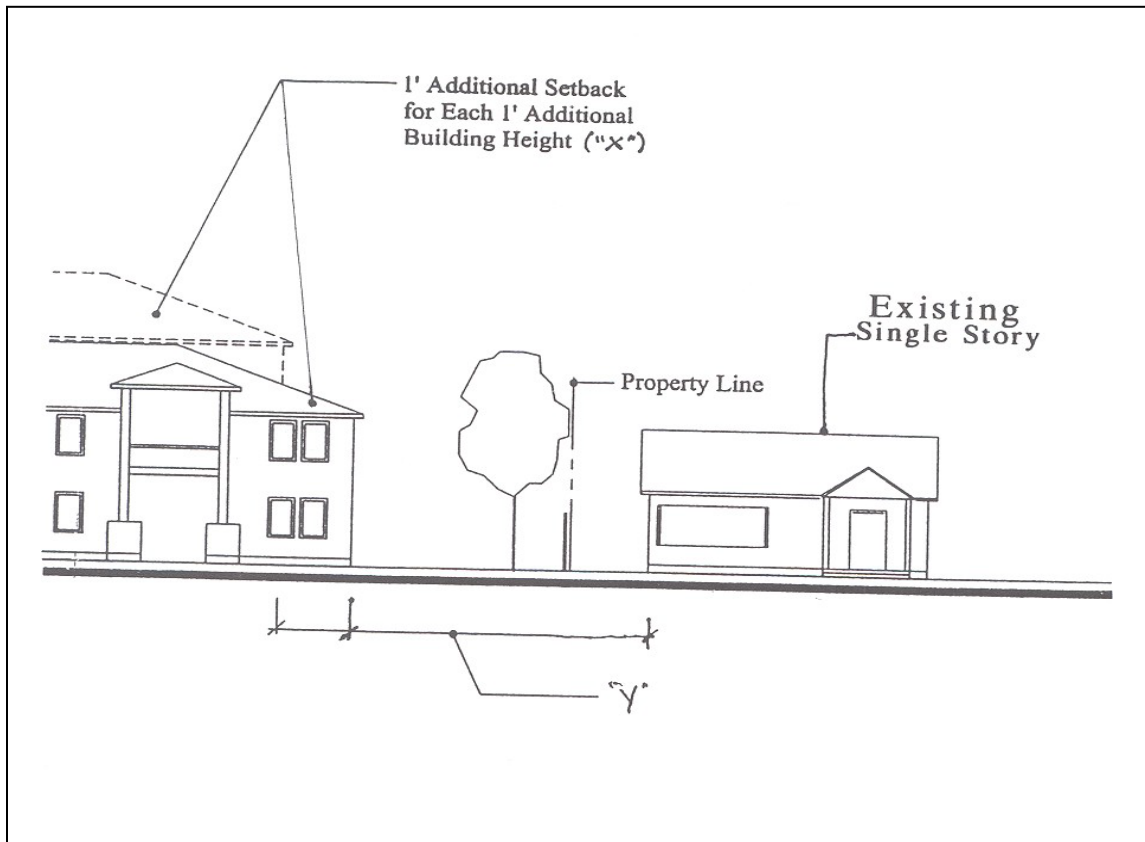
Figure 2.1.170 – Building Height Measurement (Composite of Several Roof Forms)



The following building height standards are intended to promote compatibility between different land uses, and support the principle of neighborhood-scale design:

- A. Building Height Standard.** Buildings within the Residential District shall be no more than 30 feet or 2 ½ stories in height, whichever is greater. Buildings within the Multi-family Sub-district may be up to 35 feet or 3 stories. Building height may be restricted to less than these maximums when necessary to comply with the Building Height Transition standard in “C” below. Not included in the maximum height are chimneys, bell towers, steeples, roof equipment, flagpoles, and similar features which are not for human occupancy.
- B. Method of Measurement.** “Building height” is measured as the vertical distance above a reference datum measured to the highest point of the coping of a flat roof or to the deck line of a mansard roof or to the average height of the highest gable of a pitched or hipped roof (See above examples). The reference datum shall be selected by either of the following, whichever yields a greater height of building:
1. The elevation of the highest adjoining sidewalk or ground surface within a five-foot horizontal distance of an exterior wall of the building when such sidewalk or ground surface is not more than 10 feet above the lowest grade; or
  2. An elevation 10 feet higher than the lowest grade when the sidewalk or ground surface described in subsection ‘1’ is more than 10 feet above the lowest grade. The height of a stepped or terraced building is the maximum height of any segment of the building.

**Figure 2.1.170C – Building Height Transition**



- C. Building Height Transition.** To provide compatible building scale and privacy between developments, taller buildings shall “step-down” to create a building height transition to adjacent single-story building(s).
1. This standard applies to new and vertically expanded buildings within 20 feet (as measured horizontally) of an existing single-story building with a height of 20 feet or less, as shown above.
  2. The building height transition standard is met when the difference between the height of the taller building and the adjacent building (“x”) does not exceed one (1) foot of height for each one (1) foot separating the two buildings (“y”), as shown above.

### 2.1.180 Building Orientation

- A. Purpose.** The following standards are intended to orient buildings close to streets to promote human-scale development, slow traffic down, and encourage walking in neighborhoods. Placing residences and other buildings close to the street also encourages security and safety by having more “eyes-on-the-street”.
- B. Applicability.** This section applies to: Single Family Dwellings including Manufactured Houses and two attached townhomes, attached townhomes that are subject to Site Design Review (3 or more attached units); Multi-Family Housing; Neighborhood Commercial buildings; and Public and Institutional buildings.

**C. Building Orientation Standards.** All developments listed in “B” above shall be oriented to a street. The building orientation standard is met when all the following criteria are met:

1. Compliance with the setback standards in Section 2.1.120.
  2. All buildings shall have their primary entrance(s) oriented to the street. Multi-family and Neighborhood Commercial building entrances may include entrances to individual units, lobby entrances, or breezeway/courtyard entrances (i.e., to a cluster of units or commercial spaces). Alternatively, a multi-family building may have its entrance oriented to a side yard when a direct pedestrian walkway is provided between the building entrance and the street in accordance with the standards in Chapter 3.1 Access and Circulation. In this case, at least one entrance shall be provided not more than 30 feet from the closest sidewalk or street.
  3. Off-street parking, drives, or other vehicle areas shall not be placed between buildings and streets where building placement complies with this standard except for single family dwellings, manufactured dwellings, and attached townhouses.
- D.** The standard shall not apply to buildings that do not receive the public (e.g., buildings used solely for storage or for housing mechanical equipment; and similar uses.)
- E.** Manufactured Homes may have the front door facing the side yard if there are windows making up at least 30% of the street-facing wall.

**Figure 2.1.180A – Typical Building Orientation – Multi-Family/Attached Housing**

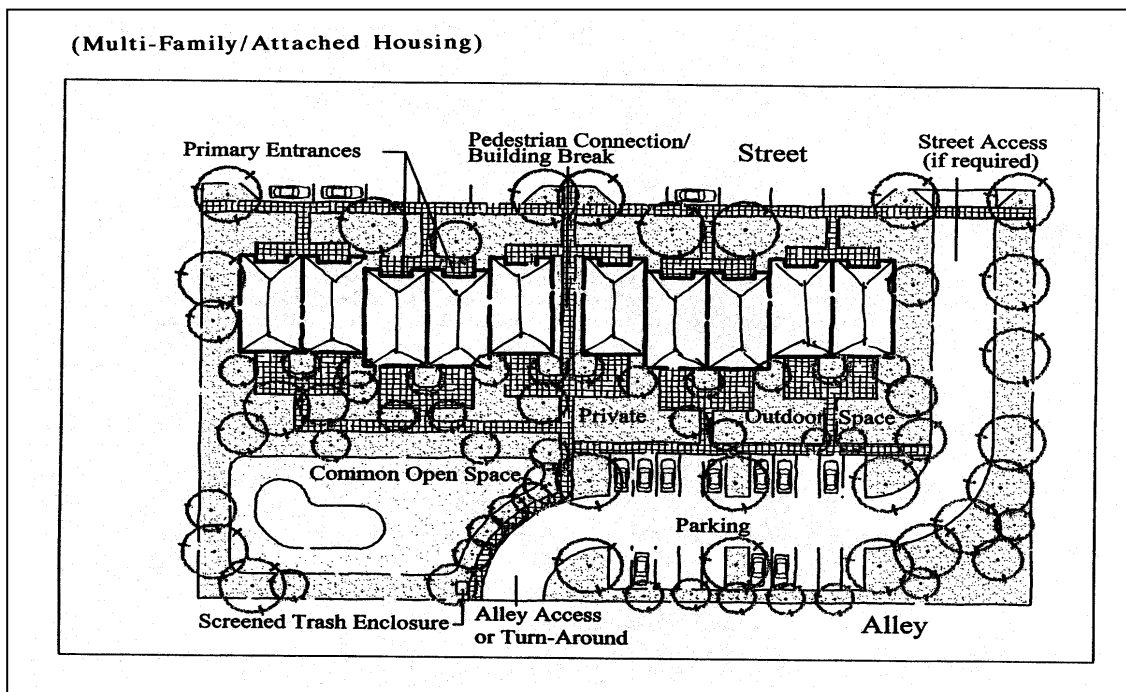
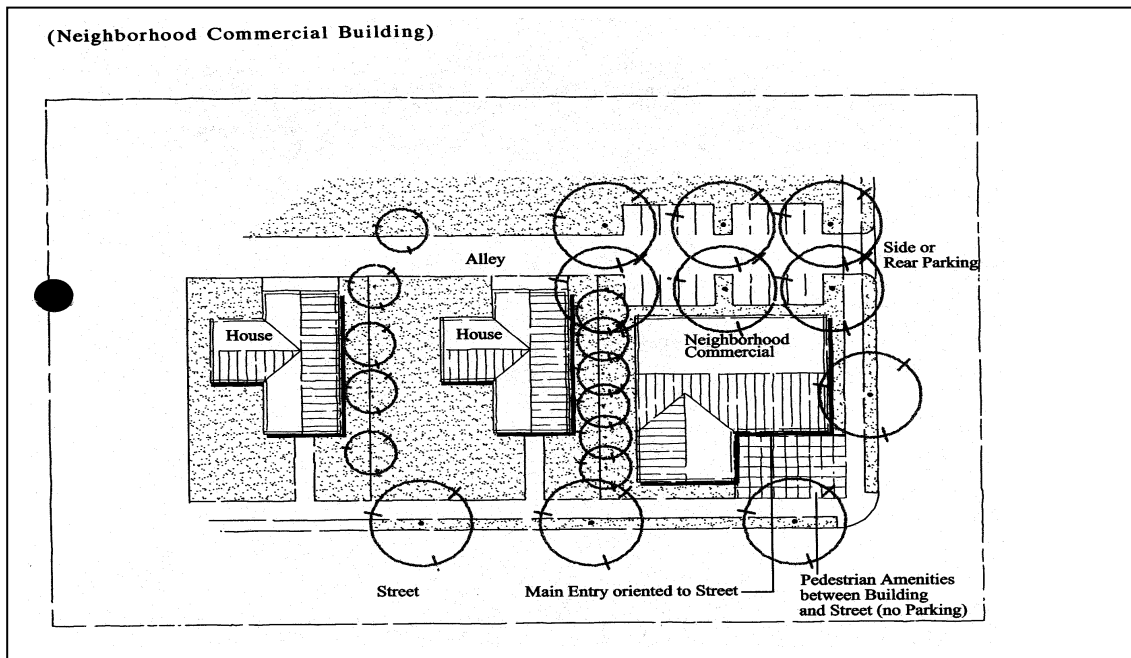


Figure 2.1.180B – Typical Building Orientation – Neighborhood Commercial Building

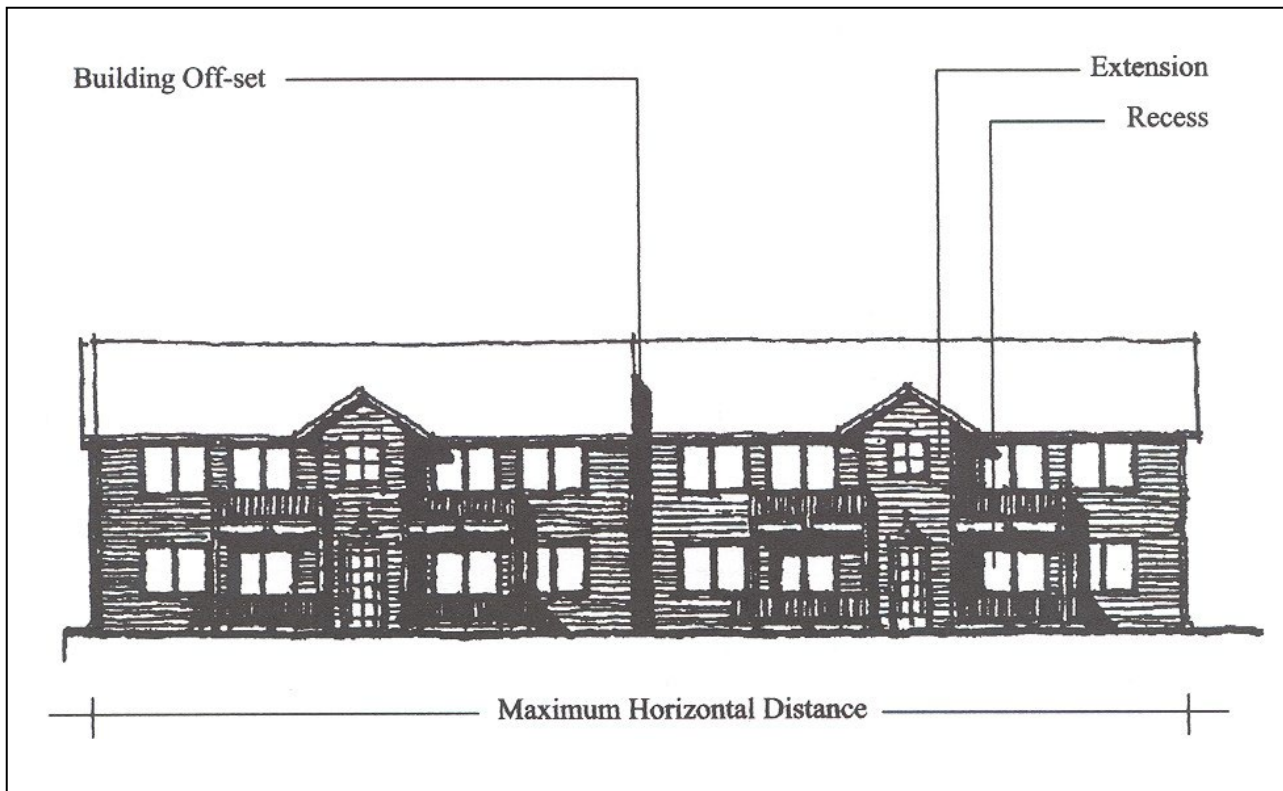


#### 2.1.190 Design Standards.

- A. **Purpose.** The architectural standards are intended to provide detailed, human-scale design, while affording flexibility to use a variety of building styles.
- B. **Applicability.** This section applies to all the following types of buildings, and shall be applied during Site Design Review:
- a. Duplexes and Triplexes;
  - b. Single family attached townhomes which are subject to Site Design Review (3 or more attached units);
  - c. Multi-family housing;
  - d. Public and institutional buildings; and
  - e. Neighborhood Commercial and mixed-use buildings.
- C. **Standards.** All buildings that are subject to this Section shall comply with all the following standards. The graphics provided with each standard are intended to show examples of how to comply. Other building styles and designs can be used to comply, so long as they are consistent with the text of this section. An architectural feature (i.e., as shown in the graphics) may be used to comply with more than one standard.

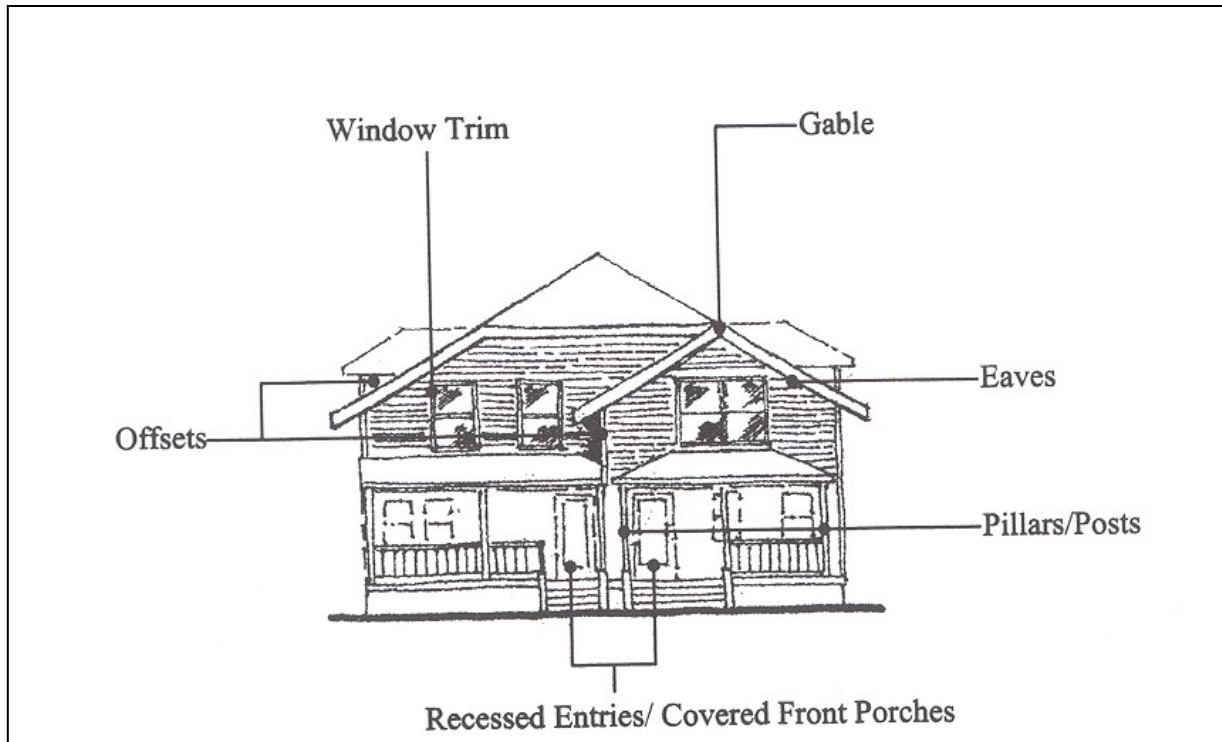


Figure 2.1.190A – Building Form (Multi-family Housing Example)



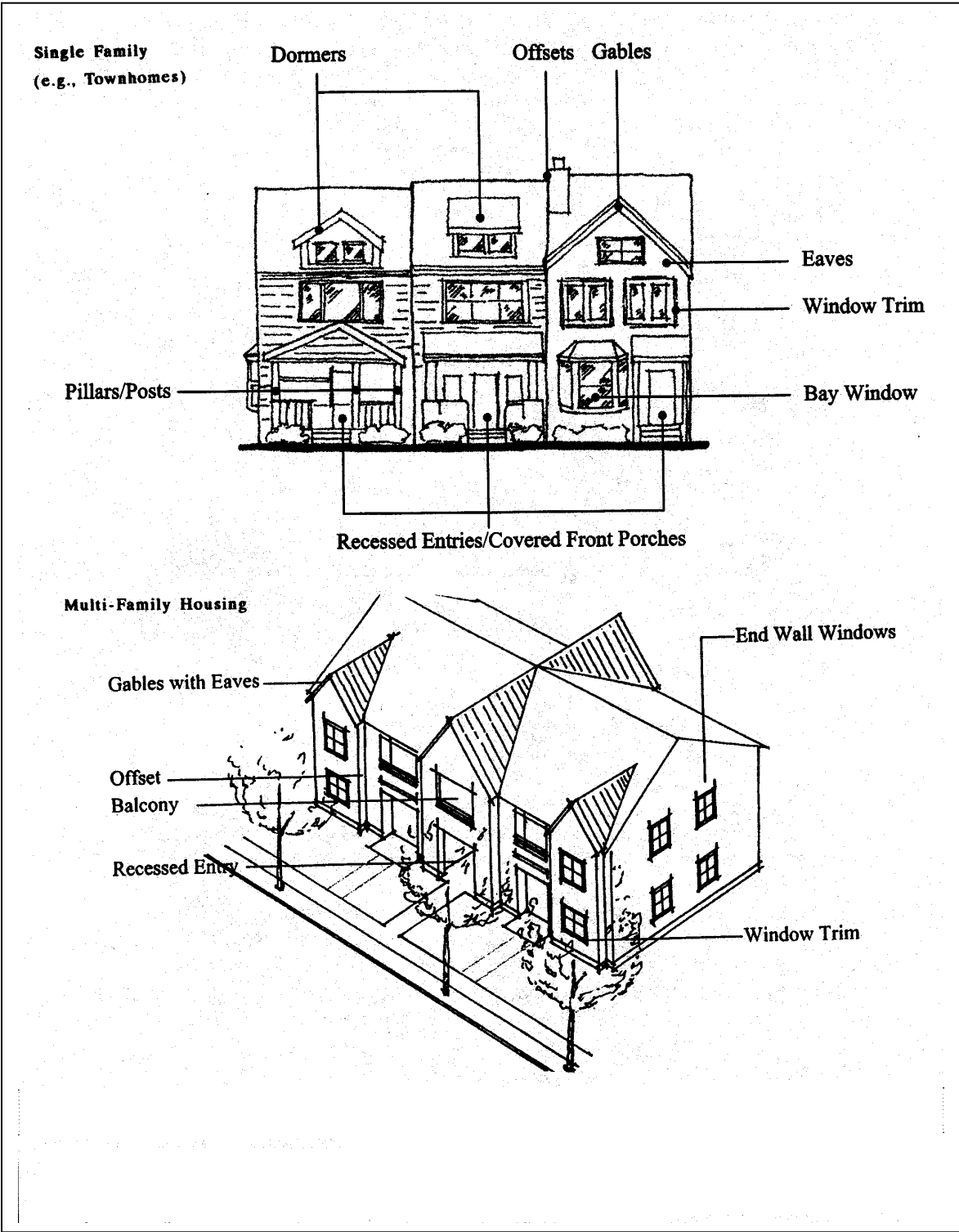
1. **Building Form.** The continuous horizontal distance (i.e., as measured from end-wall to end-wall) of individual buildings shall not exceed 80 feet, except for townhomes in the Multi-Family subdistrict. All buildings shall incorporate design features such as offsets, balconies, projections, window reveals, or similar elements to preclude large expanses of uninterrupted building surfaces, as shown in Figure 2.1.190A. Along the vertical face of a structure, such features shall occur at a minimum of every 40 feet, and on each floor shall contain at least two of the following features:
  - a. Recess (e.g., deck, patio, courtyard, entrance or similar feature) that has a minimum depth of 6 feet;
  - b. Extension (e.g., floor area, deck, patio, entrance, or similar feature) that projects a minimum of 2 feet and runs horizontally for a minimum length of 4 feet; and/or
  - c. Offsets or breaks in roof elevation of 2 feet or greater in height.
2. **Eyes on the Street.** All building elevations visible from a street right-of-way shall provide doors, porches, balconies, and/or windows. A minimum of 40 percent (30 percent for manufactured dwellings) of front (i.e., street-facing) elevations, and a minimum of 30 percent of side and rear building elevations shall meet this standard. “Percent of elevation” is measured as the horizontal plane (lineal feet) containing doors, porches, balconies, terraces and/or windows. The standard applies to each full and partial building story.

**Figure 2.1.190B – Examples of Architectural Details: Duplex**



3. Detailed Design. All buildings shall provide detailed design along all elevations (i.e., front, rear, and sides). Detailed design shall be provided by using at least five of the following architectural features on all elevations, as appropriate for the proposed building type and style (may vary features on rear/side/front elevations):
- Dormers
  - Gables
  - Recessed entries
  - Covered porch entries
  - Cupolas or towers
  - Pillars or posts
  - Eaves (min. 6-inch projection)
  - Off-sets in building face or roof (minimum 16 inches)
  - Window trim (minimum 4-inches wide)
  - Bay windows
  - Balconies
  - Decorative patterns on exterior finish (e.g., scales/shingles, wainscoting, ornamentation, and similar features)
  - Decorative cornices and roof lines (e.g., for flat roofs)
  - An alternative feature providing visual relief, like options a-m.

Figure 2.1.190C – Examples of Architectural Details: Townhomes and Multi-Family

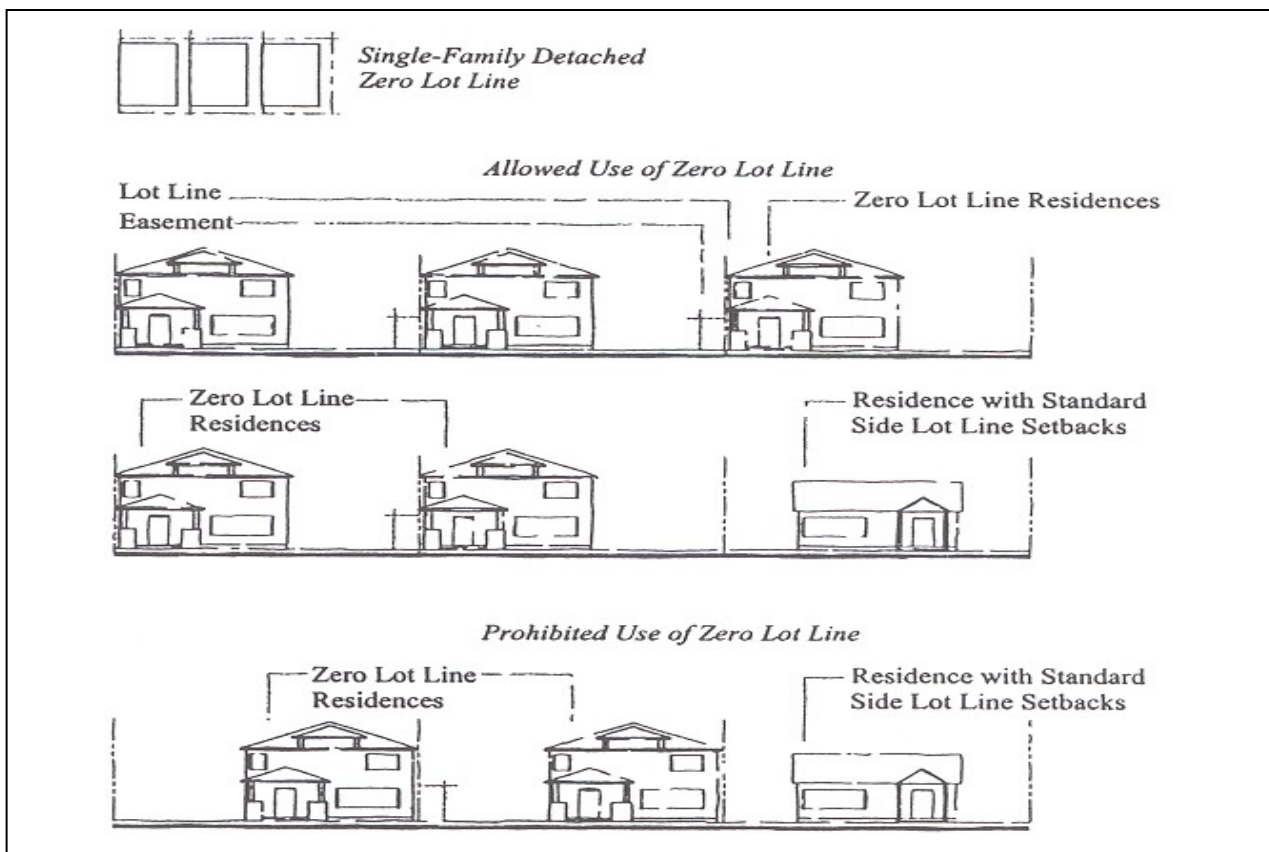


### 2.1.200 Special Standards for Certain Uses.

This section supplements the standards contained in Sections 2.1.100 through 2.1.190. It provides special standards for the following land uses to control the scale and compatibility of those uses within the Residential District:

- A. Zero-Lot Line (Single Family Home).** Zero-lot line houses are subject to the same standards as single-family housing, except that a side yard setback is not required on one side of a typical lot (as shown below). This type of housing is permitted to allow development on smaller (i.e., narrower) lots and still provide usable outdoor living area in side-oriented courtyards. The following standards are intended to promote compatibility and privacy between adjacent buildings and allow for building maintenance:

**Figure 2.1.200A – Zero-Lot Line Housing**



1. **Setbacks Adjacent to Non-Zero Lot Line Development.** When a zero-lot line house shares a side property line with a non-zero lot line development, the zero-lot line building shall be setback from the common property line by a minimum of 10 feet.
2. **Construction and Maintenance Easement.** Prior to building permit approval, the applicant shall submit a copy of a recorded easement for every zero-lot line house that guarantees rights for the purpose of construction and maintenance of structures and yards. The easement shall stipulate that no fence or other obstruction shall be placed in a manner that would prevent maintenance of structures on the subject lot.

3. Buffering. The building placement, landscaping, and/or design of windows shall provide a buffer for the occupants of abutting lots. For example, this standard is met by placing ground-floor windows (along the zero setback) above sight lines with direct views into adjacent yards, or by directing views away from yards (e.g., bay window), or by using frosted/non-see-through windows, as necessary.

**B. Accessory Dwelling (Attached, Separate Cottage, Or Above Detached Garage).** An accessory dwelling is a small, secondary housing unit on a single-family lot, usually the size of a studio apartment. The additional unit can be a detached cottage, a unit attached to or over a garage, or in a portion of an existing house that is not otherwise connected to the home. The housing density standard of the Residential District does not apply to accessory dwellings, due to the small size and low occupancy level of the use. The following standards are intended to control the size and number of accessory dwellings on individual lots to promote compatibility with adjacent land uses. Accessory dwellings shall comply with all the following standards:

1. Building Design. The Accessory Dwelling shall be constructed of materials that are the same or similar to the materials used on the primary dwelling. Accessory Dwellings shall comply with the Oregon Structural Specialty Code requirements.
2. One Unit. A maximum of one accessory dwelling unit is allowed per lot.
3. Floor Area. The maximum floor area of the accessory dwelling shall not exceed 800 square feet; or 40 percent of the primary dwelling units floor area, whichever is smaller.
4. Building Height. The height of an Accessor Dwelling shall not exceed the height of the primary dwelling.
5. Buffering. A minimum 4-foot hedge or site obscuring fence may be required to buffer a detached accessory dwelling from dwellings on adjacent lots, when buffering is necessary for visual screening and privacy between uses.

**C. Manufactured Homes On Individual Lots.** Manufactured homes are permitted on individual lots, subject to all the following design standards, consistent with ORS 197.307(8). Exception: The following standards do not apply to units that were placed on lots within the City prior to the effective date of this ordinance.

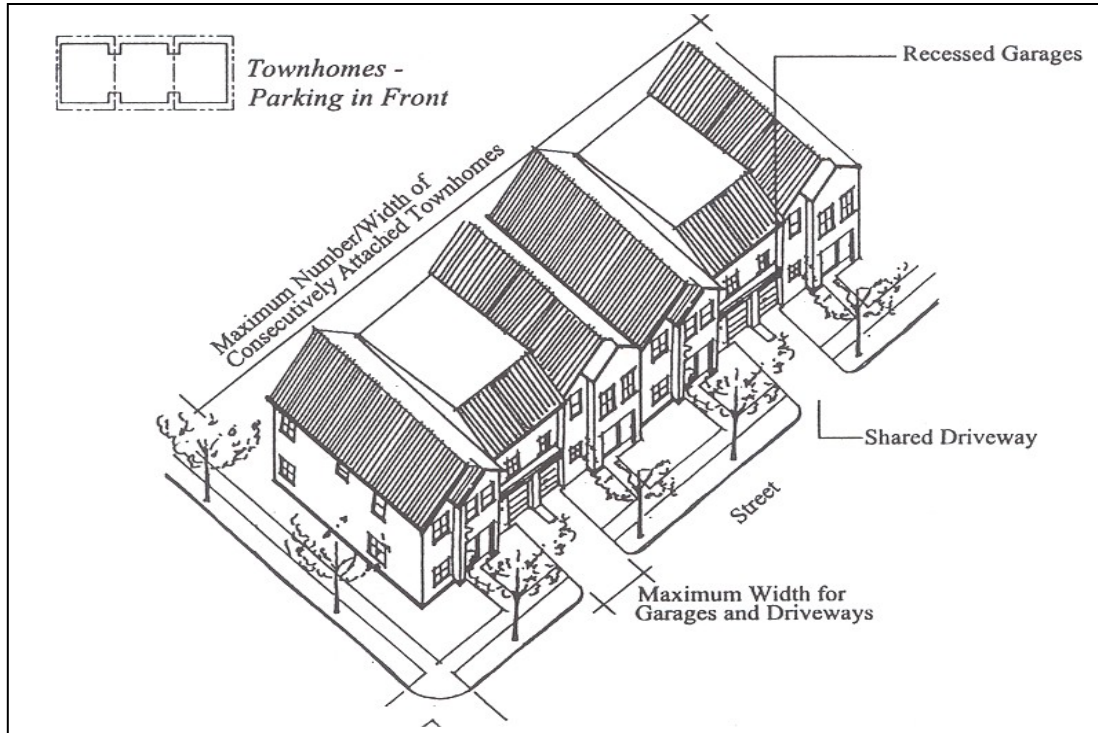
1. Roof. The manufactured home shall have a pitched roof with a slope not less than 3 feet in height for each 12 feet in width (14 degrees), the roofing materials shall be either composite or wood roofing.
2. Residential Building Materials. The manufactured home shall have exterior siding and roofing which in color, material and appearance are similar or superior to the exterior siding and roof material used on nearby residences (e.g., horizontal wood or wood-appearance siding is considered “superior” to painted metal siding and roofing).
3. Garages and Carports. The manufactured home shall have a garage or carport constructed of like materials when nearby residences have carports or garages. The City may require an

attached or detached garage when it would be consistent with the predominant construction of immediately surrounding residences.

4. Thermal Envelope. The manufactured home shall be certified by the manufacturer to meet the thermal envelope requirements equivalent to those for a single-family dwelling constructed under the State Building Code. Evidence demonstrating that the manufactured home meets “Super Good Cents” energy efficiency standards is deemed to satisfy the exterior thermal envelope certification requirement. Additional manufacturer's certification shall not be required.
  5. Placement. The manufactured home shall be placed on an excavated and back-filled foundation and enclosed at the perimeter such that the manufactured home is located not more than 12 inches above grade and complying with the minimum set-up standards of the adopted state Administrative Rules for Manufactured Dwellings, Chapter 918. Where the building site has a sloped grade, no more than 12 inches of the enclosing material shall be exposed on the uphill side of the home.
  6. Foundation Skirt. The foundation area of the manufactured home shall be fully skirted with concrete, horizontal wood or vinyl siding, or other materials, pursuant to applicable building codes.
  7. Prohibited. The manufactured home shall not be in a designated historic district.
- D. Residential Care Homes and Residential Care Facilities.** Residential care homes are residential treatment or training homes, or adult foster homes licensed by the State of Oregon. They may provide residential care alone, or in conjunction with treatment and/or training, for 5 or fewer individuals (“homes”) or 6 to 15 individuals (“facilities”) who need not be related. Staff persons required to meet State licensing requirements shall not be counted in the number of facility residents and need not be related to each other or the residents. Residential care homes and facilities shall comply with the following standards consistent with ORS 197.660 through 197.670.
1. Licensing. All residential care homes and residential care facilities shall be duly licensed by the State of Oregon.
  2. Access and Parking. Access and circulation standards in Chapter 3.1 and parking standards in Chapter 3.3 shall be met.
  3. Development Review. Residential Care Homes are subject to review and approval through a Type I review. Residential Care Facilities are subject to Type III review and approval.
- E. Single-Family Attached (Townhomes), Duplexes and Triplexes.** Single-family attached housing (townhome units on individual lots), duplex, and triplex developments shall comply with the standards in 1-3, below. The standards are intended to control development scale; avoid or minimize impacts associated with traffic, parking, and design compatibility; and ensure management and maintenance of common areas.

1. **Building Mass Supplemental Standard.** Within the Residential District, the number and width of consecutively attached townhomes (i.e., with attached walls at property line) shall not exceed 6 units. Within the Multi-family Sub-district, the number and width of consecutively attached townhome units shall be determined by the block length standards.

**Figure 2.1.200E(2) - Townhomes and Multiplex Housing Street Access**



2. **Access.** Townhomes, duplexes, and triplexes shall comply with all the following standards, to minimize interruption of adjacent sidewalks by driveway entrances, slow traffic, improve appearance of the streets, and minimize paved surfaces for better storm water management.
  - a. Garages shall be recessed behind the front elevation (i.e., living area or covered front porch) by a minimum of 4 feet.
  - b. The maximum allowable driveway width facing the street is 12 feet per dwelling unit. The maximum combined garage width per unit is 50 percent of the total building width. For example, a 24-foot-wide unit may have one 12-foot wide recessed garage facing the street.
  - c. Two adjacent garages shall share one driveway when individual driveways would otherwise be separated by less than 20 feet (i.e., the width of one on-street parking space). When a driveway serves more than one lot, the developer shall record an access and maintenance easement/agreement to benefit each lot, prior to building permit issuance.
3. **Common Areas.** "Common areas" (e.g., landscaping in private tracts, shared driveways, and similar uses) shall be maintained by a homeowner's association or other legal entity. A homeowner's association may also be responsible for exterior building maintenance. A copy of any applicable covenants, conditions, and restrictions shall be recorded and provided to the city prior to building permit approval.



**F. Public and Institutional Land Uses.** Public and institutional uses (as listed in Table 2.1.110.A) are allowed in the Residential District subject to the following land use standards, which are intended to control the scale of these developments and their compatibility with nearby residences:

1. Development Site Area. The maximum development site area shall be 8 acres, except that this standard shall not apply to parks and open space uses. Larger developments may be approved as a Conditional Use, in accordance with Chapter 4.4 Conditional Use Permits, or as part of a Master Planned Development, in accordance with Chapter 4.5.
2. Telecommunications Equipment. Telecommunications equipment (e.g., cell towers and antennae) shall comply with the standards of Chapter 3.6.2.
3. Vehicle Areas and Trash Receptacles. All vehicle areas (i.e., parking, drives, storage, etc.) and trash receptacles shall be oriented away from adjacent residences to the greatest extent practicable and shall be screened with an evergreen hedge or solid fence or wall 6 feet in height.

**G. Accessory Uses and Structures.** Accessory uses and structures are those of a nature customarily incidental and subordinate to the principal use or structure on the same lot, except for Accessory Dwellings. Typical accessory structures in the Residential District include detached garages, sheds, workshops, green houses, and similar structures. (For standards applicable to Accessory Dwellings, please refer to Section 2.1.200.B.) All accessory structures shall comply with all the following standards:

1. Primary use required. An accessory structure shall not be allowed without a permitted primary use as listed in Table 2.1.110.A.
2. Restrictions. A structure shall not be placed over an easement that prohibits such placement. No structure shall encroach into the public right-of-way.
3. Compliance with land division standards. The owner may be required to remove an accessory structure as a condition of land division approval when removal of the structure is necessary to comply with setback standards.
4. Building Height. The building height of the detached accessory structure shall not exceed 25 feet, as measured in accordance with Section 2.1.170.
5. Buffering. A minimum 4-foot hedge or fence may be required to screen the accessory structure from dwellings on adjacent lots, unless a similar screen is provided, or the distance to adjacent dwelling(s) is greater than 50 feet.
6. Prohibited Uses. Uses with objectionable impacts because of motor vehicle traffic, noise, glare, odor, dust, smoke, or vibration are prohibited. See also the list of prohibited home occupations below.

**H. Bed and Breakfast Inns and Vacation Rentals.**

1. Purpose. The purpose of this section is to provide standards for the establishment of a bed and breakfast inn or a vacation rental.



2. Accessory Use. A bed and breakfast inn must be accessory to a household already occupying the structure as a residence. A vacation rental is established in an apartment, home, or condominium that is not currently occupied on a long-term basis.
3. Maximum size. The bed and breakfast structure is limited to a maximum of 4 bedrooms for guests and a maximum of 6 guests per night. Vacation rentals can be approved in any home in a residential area.
4. Employees. The bed and breakfast facility may have up to 2 non-resident employees for the facility. A vacation rental shall not have any staff on the premises except that cleaning and maintenance staff may perform necessary services.
5. Food Service. Food services may only be provided to overnight guests of the bed and breakfast inn. No food service is allowed as part of a vacation rental.
6. Owner-occupied. The bed and breakfast inn shall be owner-occupied and shall maintain the exterior physical characteristics of a single-family dwelling. No separate structures shall be allowed (except for usual residential accessory buildings such as sheds or detached garages). A vacation rental is not required to be owner-occupied.
7. Signs. Signs must meet the standards in Chapter 3, Signs.
8. Monitoring. All bed and breakfast inns and vacation rentals must maintain a guest logbook. It must include the names and home addresses of guests, guests' license plate numbers if travelling by car, dates of stay, and for bed and breakfast inns the room number of each guest. The log must be available for inspection by City staff upon request.
9. Transient Room Tax. Owners and operators of Bed and Breakfast Inns and vacation rentals shall comply with regulations related to the collection and payment of Oregon's Transient Room Tax.

#### **I. Home Occupation**

The purpose of this Section is to encourage those who are engaged in small commercial ventures that could not necessarily be sustained if it were necessary to lease commercial quarters, or which, by the nature of the venture, are appropriate in scale and impact to be operated within a residence. Home occupations are encouraged for their contribution in reducing the number of vehicle trips often generated by conventional businesses. They are permitted by right in all residential units (dwellings), subject to a business license and the following standards:

1. Appearance of Residence:
  - a. The home occupation shall be restricted to lawfully built enclosed structures and be conducted in such a manner as not to give an outward appearance of a business.
  - b. The home occupation shall not result in any structural alterations or additions to a structure that will change its primary use or building code occupancy classification.
  - c. The home occupation shall not violate any conditions of development approval (i.e., prior development permit approval).
  - d. No products and/or equipment produced or used by the home occupation may be displayed to be visible from outside any structure.

2. Storage:
  - a. Outside storage, visible from the public right-of-way or adjacent properties, is prohibited.
  - b. On-site storage of hazardous materials (including toxic, explosive, noxious, combustible, or flammable) beyond those normally incidental to residential use is prohibited.
  - c. Storage of inventory or products and all other equipment, fixtures, and activities associated with the home occupation shall be allowed in any structure.
3. Employees:
  - a. Other than family members residing within the dwelling located on the home occupation site, there shall be no more than two full time equivalent employee at the home occupation site at any given time. As used in this chapter, the term “home occupation site” means the lot on which the home occupation is conducted.
  - b. Additional individuals may be employed by or associated with the home occupation, so long as they do not report to work or pick up/deliver at the home.
  - c. The home occupation site shall not be used as a headquarters for the assembly of employees for instruction or other purposes, including dispatch to other locations.
4. Advertising and Signs: Signs shall comply with Chapter 3.6.5. In no case shall a sign exceed 4 square feet.
5. Vehicles, Parking and Traffic:
  - a. One commercially licensed vehicle associated with the home occupation is allowed at the home occupation site. It shall be of a size that would not overhang into the public right-of-way when parked in the driveway or other location on the home occupation site.
  - b. There shall be no more than three commercial vehicle deliveries to or from the home occupation site daily. There shall be no commercial vehicle deliveries during the hours of 7 p.m. to 7 a.m.
  - c. There shall be no more than two client or customer vehicles at any one time and no more than eight per day at the home occupation site.
6. Business Hours. There shall be no restriction on business hours, except that clients or customers are permitted at the home occupation from 8 a.m. to 6 p.m. Monday through Friday subject to Sections 3 and 5, above.
7. Prohibited Home Occupation Uses:
  - a. Any activity that produces radio or TV interference, noise, glare, vibration, smoke, or odor beyond allowable levels as determined by local, state, or federal standards, or that can be detected beyond the property line is prohibited.
  - b. Any activity involving on-site retail sales is prohibited, except that the sale of items that are incidental to a permitted home occupation is allowed. For example, the sale of lesson books or sheet music from music teachers, art or craft supplies from arts or crafts instructors, computer software from computer consultants, and similar incidental items for sale by home business are allowed.
  - c. Any uses described in this section or uses with similar objectionable impacts because of motor vehicle traffic, noise, glare, odor, dust, smoke, or vibration, such as:
    - (1) Ambulance service;
    - (2) Animal hospital, veterinary services, kennels or animal boarding;
    - (3) Auto and other vehicle repair, including auto painting;

- (4) Repair, reconditioning or storage of motorized vehicles, boats, recreational vehicles, airplanes, or large equipment on-site.

8. **Enforcement:** The Code Enforcement Officer or City Police or designee may visit and inspect the site of home occupations in accordance with this chapter periodically to ensure compliance with all applicable regulations, during normal business hours, and with reasonable notice. Code violations shall be processed in accordance with Chapter 1.4— Enforcement.

**J. Temporary Medical Hardship**

A medical hardship allows the special use of a manufactured home, recreational vehicle, or an existing building necessary for a relative or other designated caregiver to care for or provide custody for an elderly, mentally handicapped, or infirm person whom a medical professional certifies needs this kind of care or custody. This certification will be on the medical professional's stationery or stamped by the medical professional's office and will indicate that the patient is not physically or mentally capable of maintaining himself/herself in a residence on a separate property and is dependent on someone being close by for assistance. This approval will be reviewed every two years to confirm that the medical hardship still exists.

The following approval criteria are applicable:

1. A medical professional has certified that the applicant needs this kind of care or custody.
2. That the requested dwelling unit can be sited with proper connections to water, wastewater, and other utilities.
3. Within 90 days of the end of the medical hardship the requested dwelling unit shall be removed or converted back to the building's previous use.
4. A Development Review permit, address, and building permits can and shall be obtained.

The medical hardship granted under this section is void when the resident no longer needs care, moves to another residence, is absent from the residence for more than 120 days, or leaves the residence with no likelihood of returning. Exception to the 120-day limit can be provided for by the Planning Official in the case of extraordinary circumstances such as extended hospitalization.

**K. Group Living Facilities.**

A group living facility shall apply for and be granted approval through a Specific Area Plan (see Chapter 4 Section 5 Master Planned Developments).

**2.1.300 Residential Sub-Districts.**

**A. Sub-districts Authorized.** Sub-districts provide needed land for land uses that may not otherwise be accommodated in the Residential District. The Comprehensive Plan identifies a need for an urban holding zone, commercial services within residential neighborhoods, and higher density housing and various housing types and ownership patterns, such as multi-family housing and leased spaces for manufactured structures. Therefore, the City has adopted the Urban Holding (UH), Multi-Family (MF), and Manufactured Home Park (MH) Sub-districts.

**B. Applicability.** Sub-districts are identified on the City's official zoning map. Properties designated with a sub-district shall comply with the provisions of the underlying Residential District, except as may be modified by this Section or the applicable Sub-District.

- C. Where there are conflicts, the sub-district standards supersede the standards of Sections 2.1.100 to 2.1.200. If there is no specific conflict, then the standards of 2.1.100 to 2.1.200 shall apply.

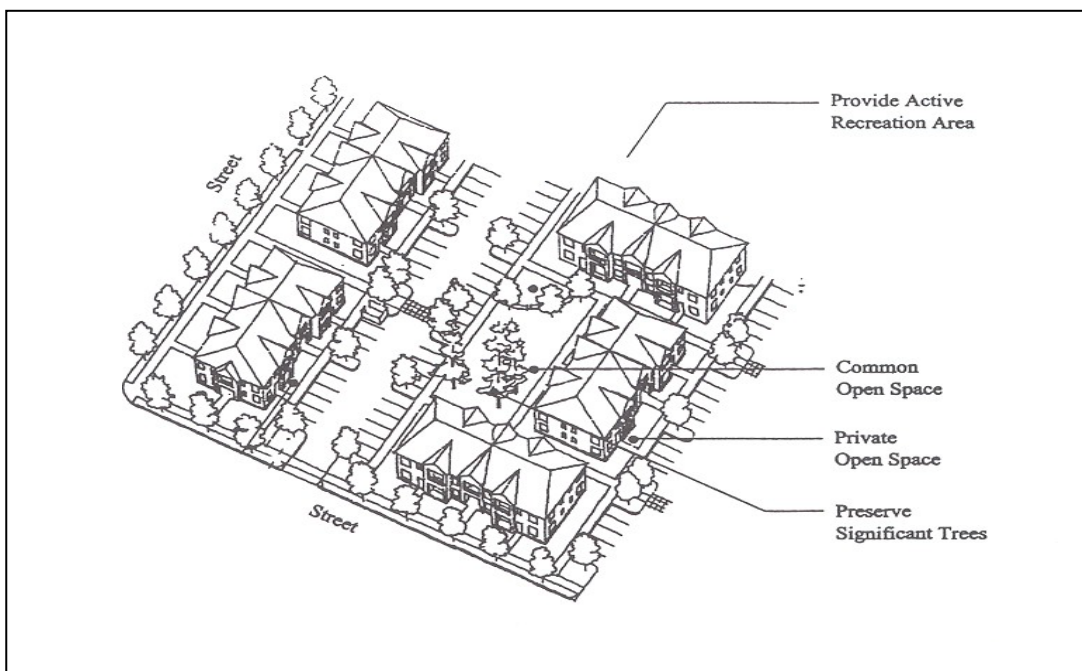
#### **2.1.400 Urban Holding Sub-District (UH).**

- A. **Purpose/Intent Statement:** The UH Sub-District is designed to preserve land in large blocks within the City's growth areas and thereby promote an efficient pattern of future urban development. The UH Sub-District is also intended to accommodate agriculture as an interim use. Development of lands designated UH, other than as allowed in this district, may only occur following re-zoning to urban districts in accordance with the phased growth provisions of the City's Comprehensive Plan.
- B. **Standards for the UH Sub District.** These standards replace the applicable standards listed in Section 2.1.200.
1. Uses.
    - a. Farming and farm uses as defined in ORS 215.203 and 215.283(1), except for livestock feedlots and sale yards, hog or poultry farms, and the commercial raising of fur-bearing animals.
    - b. Farm dwelling and farm buildings and structures including barns, sheds, personal use grain storage and corrals.
    - c. Conditional Uses: Produce stand for products produced on the farm; boarding of horses for profit; commercial activities in conjunction with farming; and golf courses.
  2. Development Standards
    - a. Parcel size. The minimum parcel size for the UH Sub-District is as follows:
      1. If any part of the parcel is within 400 feet of an existing sewer and water line, the minimum parcel size shall be 10 acres.
      2. If no part of the parcel is within 400 feet of an existing sewer and water line, the minimum parcel size shall be 2 acres.
    - b. Setbacks: The maximum/minimum front, side, and rear setback for the Sub-District is 20 feet.
    - c. New farm dwellings shall be placed on lots in such a fashion that future land division shall be possible at urban residential densities and to account for future road right-of-way dedication.
  3. Non-conforming lots of record. Lots existing before the adoption of this ordinance (May 2001) shall be allowed to develop with one farm dwelling.
  4. Division of properties
    - a. Parcels that are within 400 feet or less of an existing sewer and water line may only be divided following rezoning to urban districts in accordance with the phased growth provisions of the City's Comprehensive Plan.
    - b. Parcels that are more than 400 feet from an existing sewer or water line may be divided into parcels no smaller than two acres while retaining the UH Sub-District zoning designation. Property divisions within the UH Sub-District shall conform to the requirements of Chapter 4.3 – Land Divisions and Lot Line Adjustments.

### 2.1.500- Multi-Family Sub-District (MF).

- A. **Standards for the Multi-Family Sub-District.** These standards replace the applicable standards listed in Section 2.1.200.
- B. **Purpose/Intent Statement.** The Multi Family Sub-District is designed to provide land for larger multiple family housing. Multi-Family Housing is housing that provides 4 or more dwellings on an individual lot (e.g., multi-plexes, apartments, condominiums, etc.). New multi-family developments shall comply with all the following standards.

**Figure 2.1.600 - Multifamily Housing (typical site layout)**



### C. **Multi-Family Housing Development Standards**

1. **Common open space.** Inclusive of required setback yards, a minimum of 20 percent of the site area shall be designated and permanently reserved as usable common open space in all multiple family developments. The site area is defined as the lot or parcel on which the development is planned, after subtracting any required dedication of street right-of-way and other land for public purposes (e.g., public park or school grounds, etc.). Sensitive lands and historic buildings or landmarks open to the public and designated by the Comprehensive Plan may be counted toward meeting the common open space requirements.

For developments with more than 50 units a club house or other common use space shall be included. Play area(s) shall be installed and sized to accommodate the number of units built.

2. **Private open space.** Private open space areas shall be required for ground floor and upper- floor- housing units based on all the following standards:

- a. Ground-floor housing units shall have front or rear patios or decks measuring at least 48 square feet. Ground floor housing means the housing unit entrance (front or rear) is within 5 feet of the finished ground elevation (i.e., after grading and landscaping);
  - b. A minimum of 50 percent of all upper-floor-housing units shall have balconies or porches measuring at least 48 square feet. Upper-floor housing means housing units which are more than 5 feet above the finished grade; and
  - c. Private open space areas shall be oriented toward common open space areas and away from adjacent single-family residences, trash receptacles, parking, and drives to the greatest extent practicable.
3. **Exemptions.** Exemptions to open space requirements may be granted for the first 50 units of a larger project when the project is within one-quarter mile (measured walking distance) of a public park; and there is a direct, accessible (i.e., federal Americans with Disabilities Act-compliant), lighted, and maintained pedestrian trail or sidewalk between the site and the park. An exemption shall be granted only when the nearby park provides active recreation areas such as play fields, children's play area, sports courts, walking/fitness course, or similar facilities.
4. **Trash receptacles.** Trash receptacles shall be oriented away from adjacent residences and shall be screened with an evergreen hedge or solid fence or wall of not less than 6 feet in height. Receptacles must be accessible to trash pick-up trucks.

#### **2.1.600 Manufactured Home Park Sub-District (MH)**

- A. Applicability.** Manufactured home parks are permitted on parcels of one (1) acre or larger within the Manufactured Home Park (MHP) Sub-district, subject to compliance with subsections B-F, below:
- B. Permitted Uses.** Manufactured homes (including single, double, and triple wide), manufactured home park manager's office, home occupations, and accessory structures that are necessary for the operation and maintenance of the manufactured home park (e.g., landscape maintenance). Home occupations shall comply with Chapter 2.1.200.I - Home Occupations.
- C. Space.** The minimum size pad or space for each home is 2,500 square feet, provided that the overall density of the park does not exceed 12 units per acre. Each space shall also be at a minimum at least 30 feet wide and 40 feet long, in accordance with ORS 446.100(1)(c).
- D. Setbacks And Building Separation.** The minimum setback between park structures and abutting properties is 5 feet. The minimum setback between park structures and public street right-of-way is 15 feet. At least a 10-foot separation shall be provided between all dwellings. Dwellings shall be placed a minimum of 14 feet apart where flammable or combustible fuel is stored between units. Park structures shall be placed no closer than 5 feet to a park street or sidewalk/pathway. An accessory structure shall not be located closer than 6 feet to any other structure or dwelling, except that a double carport or garage may be built that serves 2 dwellings. When a double carport/garage is built, the carport/garage shall be separated from all adjacent structures by at least 3 feet.
- E. Perimeter Landscaping.** When manufactured homes are oriented with their back or side yards facing a public right-of-way, the City may require installation of fencing and planting of a 6 foot wide

landscape buffer between the right-of-way and a manufactured home park for the privacy and security of residents or aesthetics of the streetscape.

**F. House Design.** Manufactured homes in parks smaller than 3 acres shall meet the following design standards, consistent with ORS 197.314(6):

1. The manufactured home shall have a pitched roof with a slope not less than 3 feet in height for each 12 feet in width (14 degrees);
2. The manufactured home shall have exterior siding and roofing which in color, material and appearance are similar or superior to the exterior siding and roof material used on nearby residences (e.g., horizontal wood or wood-appearance siding is considered “superior” to metal siding and roofing);
3. Exception: Subsections 1 and 2, above, do not apply to manufactured homes sited within the City prior to the effective date of this ordinance.

## Chapter 2.2 — Commercial (C) District

### Sections:

- 2.2.100 - Purpose
- 2.2.110 - Permitted Land Uses
- 2.2.120 - Building Setbacks
- 2.2.130 - Lot Coverage
- 2.2.140 - Building Orientation
- 2.2.150 - Building Height
- 2.2.155 - Exterior Building Color
- 2.2.160 - Design Standards
- 2.2.170 - Pedestrian Amenities
- 2.2.180 - Special Standards for Certain Uses
- 2.2.190 - Off Street Parking
- 2.2.200 - Tourist Commercial Sub-District (TC)
- 2.2.210 - Neighborhood Commercial (NC)

### **2.2.100 Purpose.**

The city seeks to have a mix of commercial areas to provide a variety of opportunities for residents and those traveling through. This will be achieved through a Commercial district and a variety of sub districts that include the Downtown District, the Tourist Commercial Sub-District, and the Neighborhood Commercial Sub-District.

A city goal is to strengthen the Downtown District (DD) as the “heart” of the community and as the logical place for people to gather and create a business center. The DD is intended to support this goal through elements of design and appropriate mixed-use development. This chapter provides standards for the orderly development of commercial uses and of the Downtown District based on the following principles:

- Efficient use of land and urban services.
- A pleasant, safe, and convenient pedestrian environment.
- A mixture of land uses to encourage walking as an alternative to driving and provide more employment and housing options.
- Both formal and informal community gathering places.
- A distinct storefront character which identifies Downtown.
- Connections to neighborhoods and other employment areas.
- Opportunities for visitor accommodations and tourism amenities.

### **2.2.110 Permitted Land Uses.**

- A. Permitted Uses.** The land uses listed in Table 2.2.110.A are permitted in the Commercial District, subject to the provisions of this Chapter. Only land uses that are specifically listed in Table 2.2.110.A, and land uses that are approved as “similar” to those in Table 2.2.110.A, may be permitted. The land uses identified with a “CU” in Table 2.2.110.A require Conditional Use Permit



approval prior to development or a change in use, in accordance with Chapter 4.4 Conditional Use Permits. Development Review or Site Design Review shall be required for new developments and modifications of existing developments in accordance with Chapter 4.2.

- B. Determination of Similar Land Use.** Similar use determinations shall be made in conformance with the procedures in Chapter 4.8 - Interpretations.

| <b>Table 2.2.110.A</b><br><b>Land Uses and Building Types Permitted in the Commercial District</b>   |  |
|--|--|
| <b>Use</b>   | <b>Applicable Standards</b>  |
| <b>1. Commercial:</b><br>a. Auto-dependent and auto-oriented uses and facilities (including drive-up, drive-in, and drive-through facilities)<br>b. Entertainment (e.g., theaters, clubs, amusement uses)<br>c. Hotels/motels<br>d. Medical and dental offices, clinics, urgent care facilities, veterinarians, and laboratories<br>e. Mixed use development (housing & other permitted use)<br>f. Office uses (i.e., those not otherwise listed)<br>g. Personal and professional services (e.g., childcare center, catering/food services, restaurants, laundromats and dry cleaners, barber shops and salons, banks and financial institutions, and similar uses)<br>h. Repair services<br>i. Retail trade and services<br>j. Uses similar to those listed above | Auto-dependent and auto-oriented uses and facilities (1.a) are subject to standards in Section 2.2.180.E and require a Conditional Use Permit per Chapter 4.4<br><br>Mixed use (1.e) is subject to standards in Section 2.2.180<br><br>Similar uses (1.j) may require a Conditional Use Permit as applicable                 |
| <b>2. Public and Institutional:</b><br>a. Churches and places of worship<br>b. Clubs, lodges, similar uses<br>c. Government offices and facilities (administration, public safety, transportation, utilities, and similar uses)<br>d. Libraries, museums, community centers, concert halls and similar uses<br>e. Public parking lots and garages (when a stand-alone use)<br>f. Private utilities<br>g. Public parks and recreational facilities<br>h. Schools (public and private)<br>i. Special district facilities<br>j. Telecommunications equipment (including wireless)<br>k. Uses similar to those listed above  | Public and Institutional Uses are subject to standards in Section 2.2.180<br><br>Public parking lots and garages (2.e) require a Conditional Use Permit per Chapter 4.4<br><br>Telecommunications equipment reviewed under 3.6.100.<br><br>Similar uses may require a Conditional Use Permit if required for the similar use |

**Table 2.2.110.A**  
**Land Uses and Building Types Permitted in the Downtown District**

| Use   | Applicable Standards   |
|---|--|
| <b>3. Transportation Facilities and Improvements:</b> <ul style="list-style-type: none"> <li>a. Normal operation, maintenance.</li> <li>b. Installation of improvements within the existing right-of-way.</li> <li>c. Projects identified in the adopted Transportation System Plan not requiring future land use review and approval.</li> <li>d. Landscaping as part of a transportation facility.</li> <li>e. Emergency Measures.</li> <li>f. Street or road construction as part of an approved subdivision or partition.</li> <li>g. Transportation projects that are not designated improvements in the Transportation System Plan; and</li> <li>h. Transportation projects that are not designed and constructed as part of an approved subdivision or partition.</li> </ul> | Transportation projects (3.g and 3.h only) are subject to criteria for transportation improvements in Section 4.4.500 and require a Conditional Use Permit per Chapter 4.4 |
| <b>4. Residential</b><br><i>Single-family</i> <ul style="list-style-type: none"> <li>a. Single-family detached housing (existing housing only)</li> <li>b. Accessory dwellings (existing housing only)</li> <li>c. Manufactured homes – individual lots (existing housing only)</li> </ul> <i>Multi-family</i> <ul style="list-style-type: none"> <li>d. Multi-family housing (as mixed-use)</li> </ul> <i>Residential care</i> <ul style="list-style-type: none"> <li>e. Residential care homes and facilities</li> <li>f. Family daycare (12 or fewer children)</li> <li>g. Group living facilities</li> </ul>  | Residential uses are subject to standards in Section 2.2.180   |
| <b>5. Accessory Uses and Structures</b>   | Accessory uses and structures are subject to standards in Section 2.2.180  |
| <b>6. Industrial:</b> Light manufacture (e.g., small-scale crafts, electronic equipment, bakery, furniture, similar goods when in conjunction with retail)  | Industrial uses are subject to standards in Section 2.2.180  |

- C. Land Uses Prohibited in the Commercial District** Only uses specifically listed in Table 2.2.110A, and uses similar to those in Table 2.2.110.A, are permitted in this district. The following uses are expressly prohibited: heavy industrial uses and new residential uses, except mixed use development.

#### **2.2.120 Building Setbacks.**

In the Commercial District the yards shall be as follows:

- A.** The setback from any street shall be 20 feet.
- B.** The side yard shall be a minimum of 20 feet measured from the foundation when abutting a residential zone.

- C. The rear yard shall be a minimum of 25 feet measured from the foundation when abutting a residential zone.

In the Downtown Sub-District, the following setbacks are applicable:

**A. Front Yard Setbacks.**

1. Minimum Setback. There is no minimum front yard setback required.
2. Maximum Setback. The maximum allowable front yard setback is 5 feet. This standard is met when a minimum of 75 percent of the front building elevation is placed no more than 5 feet back from the front property line. On parcels with more than one building, this standard applies to the largest building. The setback standard may be increased when a usable public space with pedestrian amenities (e.g., extra-wide sidewalk, plaza, pocket park, outdoor dining area or town square with seating) is provided between the building and front property line. (See also, Pedestrian Amenities Standards in Section 2.2.170 and Design Standards in Section 2.2.160 for related building entrance standards.)

**B. Rear Yard Setbacks.**

1. Minimum Setback. The minimum rear yard setback for all structures shall be 0 feet for street-access lots, and 6 feet for alley-access lots (distance from building to rear property line or alley easement) to provide space for parallel parking.
2. Through-Lots. For buildings on through-lots (lots with front and rear frontage onto a street), the front yard setbacks in “A” above shall apply.

- C. **Side Yard Setbacks.** There is no minimum side yard setback required, except that buildings shall conform to the vision clearance standards in Chapter 3.1 and the applicable fire and building codes for attached structures, fire walls, and related requirements.

- D. **Setback Exceptions.** Eaves, chimneys, bay windows, overhangs, cornices, awnings, canopies, porches, decks, pergolas, and similar design features may encroach into setbacks by no more than 6 feet, subject to compliance with applicable standards of the Uniform Building Code and Uniform Fire Code. Walls and fences may be placed on the property line, subject to the requirements of Chapter 3.2 Landscaping and Fences and Walls.

**2.2.130 Lot Coverage.**

**Lot Coverage.** There is no maximum lot coverage requirement, except that compliance with other sections of this code may preclude full (100 percent) lot coverage for some land uses.

**2.2.140 Building Orientation.**

Buildings in all Commercial Districts shall be oriented to the street. In the Downtown Sub-District, the intent is to promote the walkable, storefront character of Downtown by placing buildings close to the street. Placing buildings close to the street slows traffic down and provides more “eyes on the street”, increasing the safety of public spaces.

**A. Applicability.** This Section applies to all the following types of development (i.e., those subject to Site Design Review):

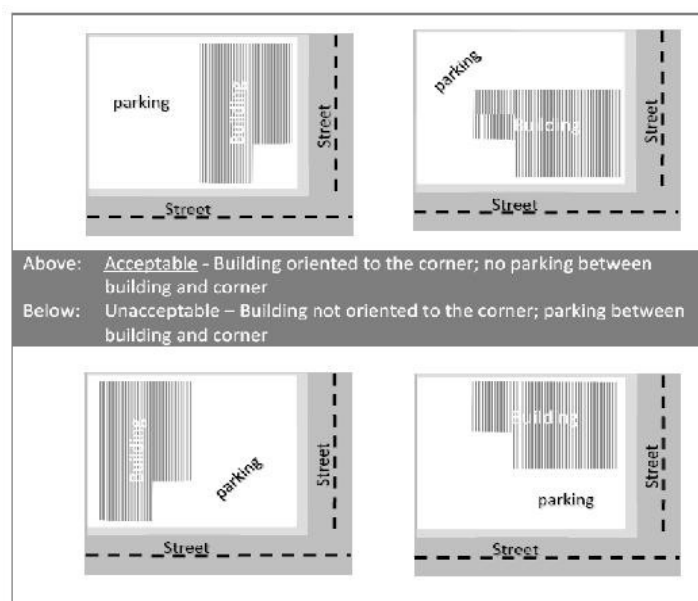
1. Multi-family housing;
2. Public and institutional buildings, except that the standard shall not apply to buildings which are subject to site design review or those that do not receive the public (e.g., buildings used solely to house mechanical equipment, and similar uses); and
3. Commercial and mixed-use buildings subject to site design review.

Compliance with all the provisions of subsections B through D, below, shall be required.

**B. Building Orientation Standard.** All the developments listed in Section A shall be oriented to a street. The building orientation standard is met when all the following criteria are met:

1. The minimum and maximum setback standards in Section 2.2.120 are met;
2. Buildings shall have their primary entrance(s) oriented to (facing) the street. Building entrances may include entrances to individual units, lobby entrances, entrances oriented to pedestrian plazas, or breezeway/courtyard entrances (i.e., to a cluster of units or commercial spaces). Alternatively, a building may have its entrance facing a side yard when a direct pedestrian walkway is provided between the building entrance and the street right-of-way.

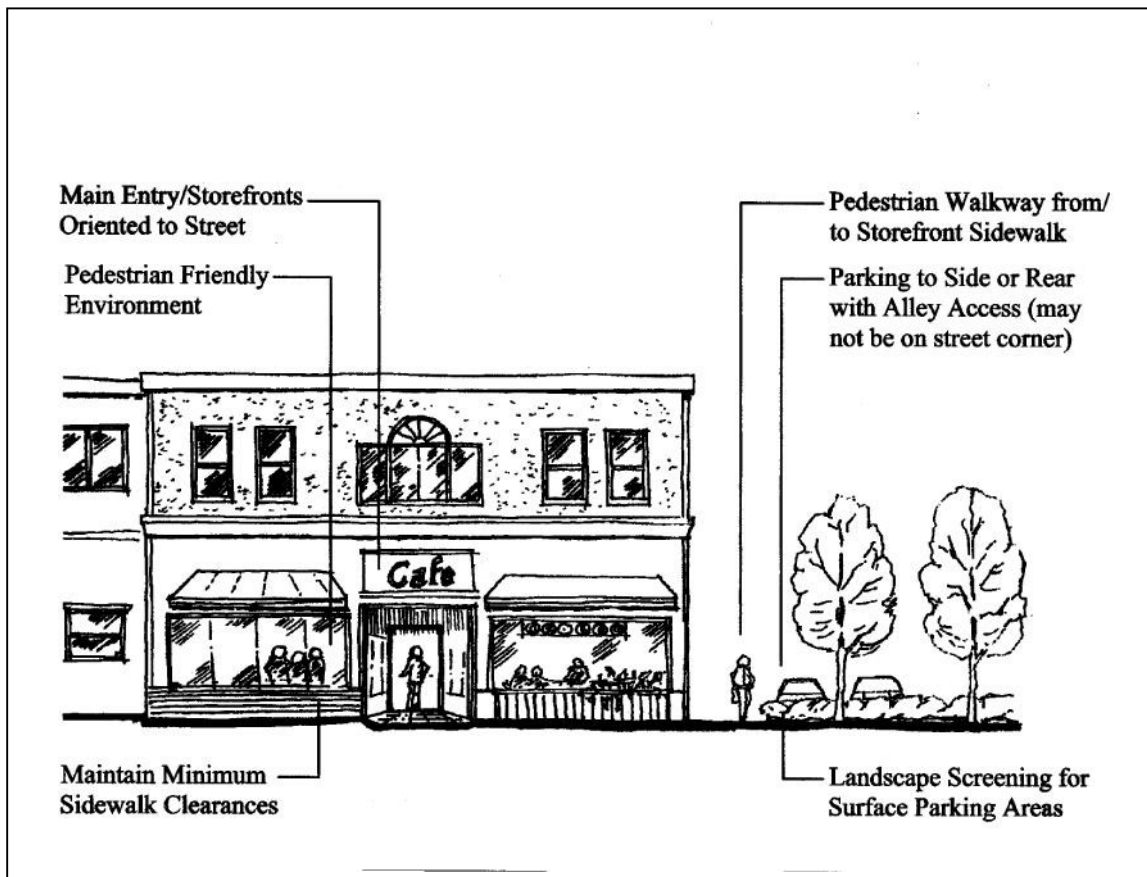
**Figure 2.2.140B – Building Orientation on Corner Lots**



3. Off-street parking, driveways or other vehicular circulation shall not be placed between a building and the street that is used to comply with subsection '2' above. On corner lots, buildings and their entrances shall be oriented to the street corner, as shown above; parking, driveways and other vehicle areas shall be prohibited between buildings and street corners.

- C. **Active Ground Floor Standard.** The street-side portions of the lower floors of all buildings shall contain shops, offices, lobbies, and other activities oriented toward the passerby. Display windows for viewing the activity inside the building shall be provided.

**Figure 2.2.140.D - Building Orientation (Typical)**



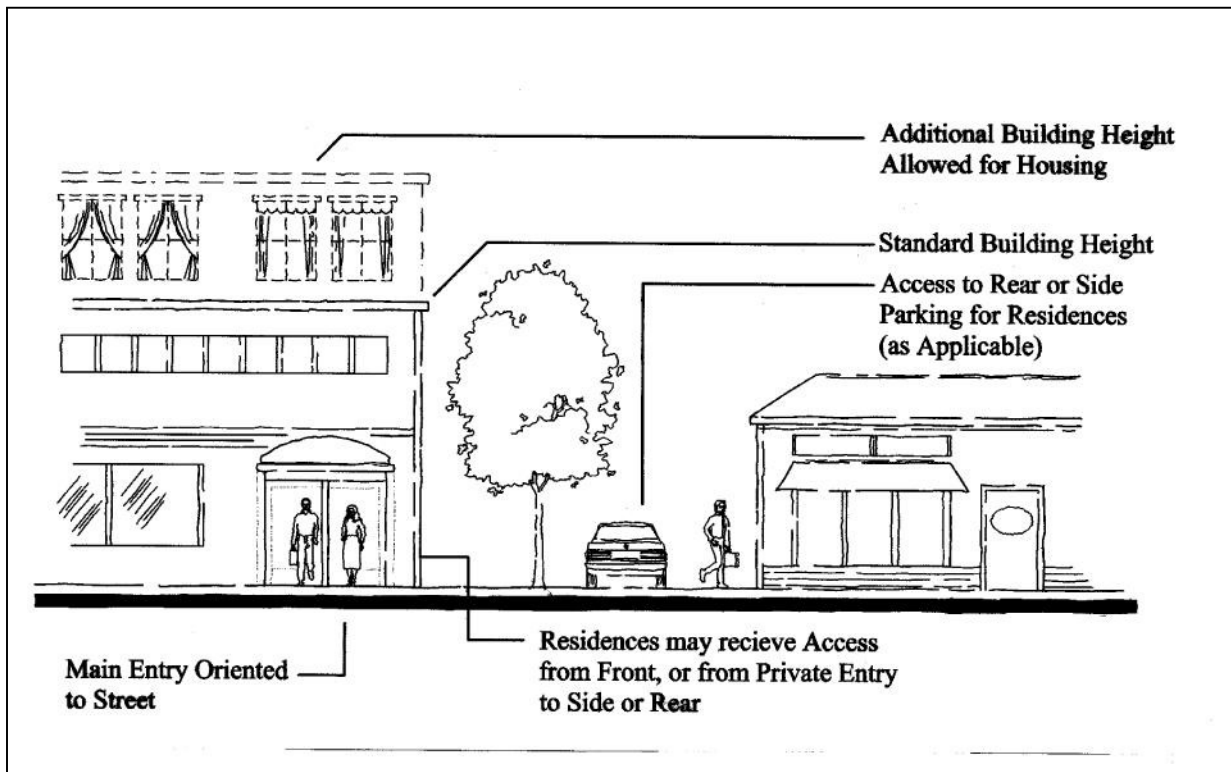
- D. **Continuous Building Frontage.** In the Downtown Sub-District buildings shall be built to the property lines on either side to create a continuous line of storefronts. Access may be provided to the rear parking areas by an internal walkway.
- E. **Variances.** The standards of this Section shall not be changed through a Class A Variance. The standard may be varied to address topographic or other physical constraints, in accordance with the provisions for Class B or C variances in Chapter 5.

### **2.2.150 Building Height.**

Buildings in the Commercial District shall be no taller than four stories or forty-five feet tall.

All buildings in the Downtown Sub-District shall comply with the following building height standards. The standards are intended to allow for development of appropriately scaled buildings with a storefront character:

Figure 2.2.150 - Building Height Diagram (Credit for Housing)



- A. **Maximum Height.** Buildings shall be no more than four stories or 45-feet whichever is smaller. The maximum height may be increased by 10 feet when housing is provided above the ground floor ("vertical mixed use"), as shown above. The building height increase for housing shall apply only to that portion of the building that contains housing.
- B. **Method of Measurement.** "Building height" is measured as the vertical distance above a reference datum measured to the highest point of the coping of a flat roof or to the deck line of a mansard roof or to the average height of the highest gable of a pitched or hipped roof (See Figure 2.1.170 for examples of measurement). The reference datum shall be selected by either of the following, whichever yields a greater height of building:
1. The elevation of the highest adjoining sidewalk or ground surface within a five-foot horizontal distance of an exterior wall of the building when such sidewalk or ground surface is not more than 10 feet above the lowest grade; or
  2. An elevation 10 feet higher than the lowest grade when the sidewalk or ground surface described in subsection 'a' is more than 10 feet above the lowest grade. The height of a stepped or terraced building is the maximum height of any segment of the building. Not included in the maximum height are chimneys, bell towers, steeples, roof equipment, flagpoles, and similar features that are not for human occupancy.

### 2.2.155 Exterior Building Color

All buildings in the Downtown Sub-District shall comply with the following exterior building color standards. The standards are intended to ensure development is compatible with the traditional character of downtown Stanfield. Building exteriors shall comply with the following standards:

- A. **Primary Walls.** Permitted colors include earth tones, creams, and pastels of earth tones. Unpainted brick, stone, and natural wood siding (excluding exposed underlayment) are also permitted. The Planning Official will review all proposed exterior paint colors to ensure compliance.
- B. **Trim and Detail.** High-intensity primary colors and metallic colors may be utilized as trim and detail colors only. Trim and detail shall be of contrast to the primary color.
- C. **Prohibited Colors.** Day-glow colors, highly reflective colors, and similar colors are not permitted.
- D. **Murals.** Nothing in the standards above should be construed as prohibiting City approved murals.

### 2.2.160 Design Standards.

- A. **Purpose and Applicability.** All development in the Commercial District is required to confirm with additional design standards in Chapter 3 including:

- Access and Circulation
- Landscaping, Street Trees, Fences and Walls
- Vehicle Parking, Bicycle Parking, and Loading Standards
- Public Facilities Standards
- Surface Water Management
- Other Design Standards
- Flood Plain Standards (if applicable)

Downtown Sub-District design standards are intended to provide detailed, human-scale design, while affording flexibility to use a variety of building styles. The standards apply to new buildings and building additions that are subject to site design review. This section applies to all the following types of buildings:

1. Public and institutional buildings, except that the standard shall not apply to buildings that do not receive the public (e.g., buildings used solely to house mechanical equipment, and similar uses); and
2. Commercial and mixed-use buildings. The residential portion of mixed-use buildings shall comply with Section 2.2.180 and the design standards in Chapter 2.1.190.

- B. **Standards.** Non-residential buildings shall comply with the design standards below. A design feature used to comply with one standard may be used to comply with another standard. The City may approve adjustments to the standards as part of a site design review approval provided that the applicant demonstrates that the proposed adjustment better meets the purpose of the design standards and the zone.

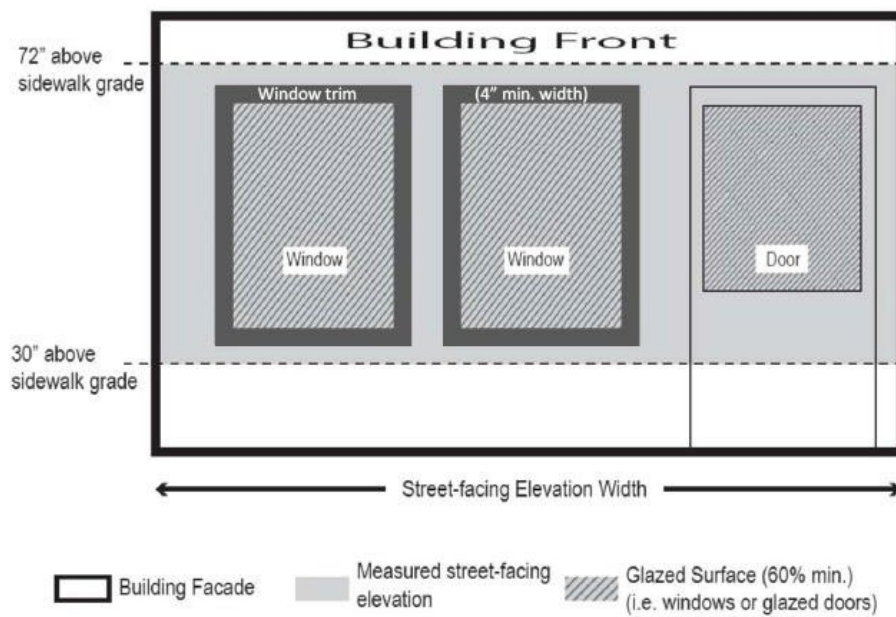
1. Building Entrances.

- a. All primary building entrances shall open to the sidewalk (where feasible) and shall conform to Americans with Disabilities Act (ADA) requirements, as applicable. Primary entrances above or below grade may be allowed where ADA accessibility is provided.
- b. Ground level pedestrian entrances oriented to a street shall be at least partly transparent for natural surveillance and to encourage an inviting and successful business environment. This standard may be met by providing a door with a window(s), a transom window above the door, or sidelights beside the door.

2. Windows. Except as approved for parking structures or accessory structures, the street-facing elevations of buildings shall provide display windows, windowed doors, and where applicable, transom windows to express a storefront character.

- a. For buildings adjacent to the street, the ground floor street-facing elevation(s) shall comprise at least 60 percent transparent windows, measured as a section extending the width of the street-facing elevation between 30 inches and 72 inches above the sidewalk grade. For buildings that are not adjacent to a street, such as those that are setback behind another building and those that are oriented to a civic space (e.g., internal plaza or court), shall meet the 60 percent transparency standard on all elevations abutting civic spaces(s) and on elevations containing a primary entrance.

**Figure 2.2.160.B(1) – Ground floor Street-Facing Window Requirement**

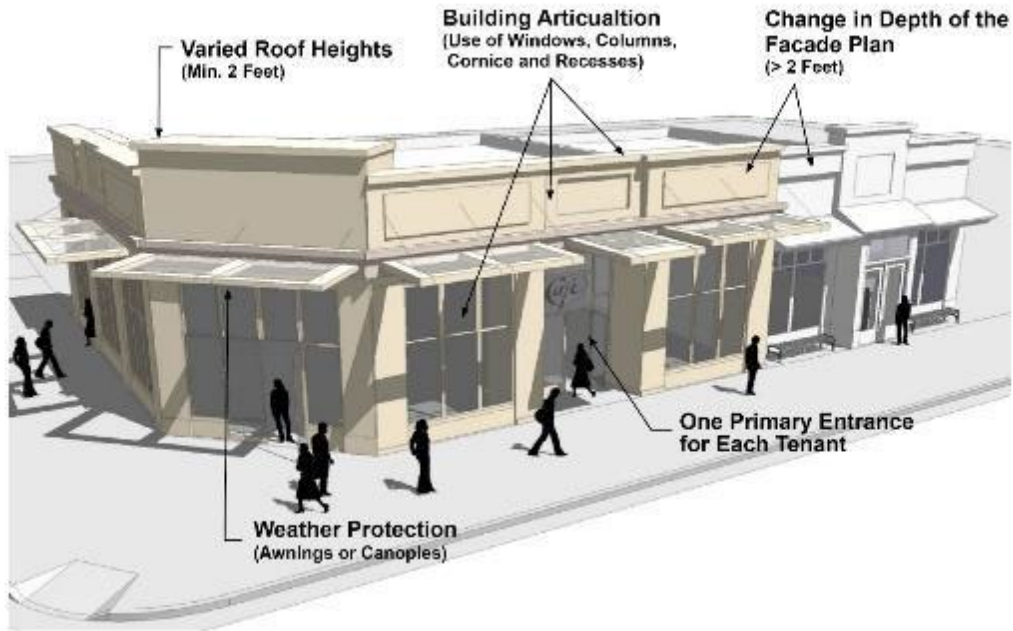


- b. All side and rear elevations, except for zero-lot line or common wall elevations where windows are not required, shall provide not less than 30 percent transparency.



- c. Windows and display cases shall not break the front plane of the building (e.g., projecting display boxes are not allowed). For durability and aesthetic reasons, display cases, when provided, shall be flush with the building façade (not affixed to the exterior) and integrated into the building design with trim or other detailing. Window flower boxes are allowed provided they do not encroach into the pedestrian through-zone.
  - d. At a minimum, windows shall contain trim, reveals, recesses, or similar detailing of not less than four inches in width or depth as applicable. The use of decorative detailing and ornamentation around windows (e.g., corbels, medallions, pediments, or similar features) is encouraged.
  - e. Window Exceptions. The City may approve an exception to the above standards where existing topography makes compliance impractical. Where an exception to the window transparency requirement is made for parking garages or similar structures, the building design must incorporate openings or other detailing that resembles the window patterns (rhythm and scale).
3. All Elevations of Building. Architectural designs shall show all elevations of a building. Materials used on the front façade must turn the building corners and include at least a portion of the side elevations.
  4. Articulation. All building elevations that orient to a street or civic space must have breaks in the wall plane (articulation) of not less than one break for every 30 feet of building length or width, as applicable, as follows:
    - a. A “break” for the purposes of this subsection is a change in wall plane of not less than 24-inch in depth. Breaks may include but are not limited to an offset, recess, window reveal, pilaster, frieze, pediment, cornice, parapet, gable, dormer, eave, coursing, canopy, awning, column, building base, balcony, permanent awning or canopy, marquee, or similar architectural feature. Changes in paint color and features that are not designed as permanent architectural elements, such as display cabinets, window boxes, retractable and similar mounted awnings or canopies, and other similar features, do not meet this standard.
    - b. The City through Site Design Review may approve detailing that does not meet the 24-inch break-in-wall-plane standard where it finds that proposed detailing is more consistent with the architecture of buildings existing in the vicinity.
    - c. Building elevations that do not orient to a street or civic space need not comply with the 24-inch break-in-wall-plane standard but should complement the overall building design.
  5. Change in Materials. Elevations shall incorporate changes in material that define a building’s base, middle, and top, as applicable, and create visual interest and relief. Side and rear elevations that do not face a street, public parking area, pedestrian access way, or plaza may utilize changes in texture and/or color of materials, provided that the design is consistent with the overall composition of the building.

**Figure 2.2.160.B(2) - Downtown Building Design Elements**



**Figure 2.2.160.B(3) –Building Base, Middle and Top**



6. Defined Upper Story(ies). Building elevations shall contain detailing that visually defines street level building spaces (storefronts) from upper stories. The distinction between street level and upper floors shall be established, for example, through the use of awnings, canopies, belt course, or similar detailing, materials, or fenestration.

7. **Minimum Pedestrian Shelter Coverage.** Permanent awnings, canopies, recesses, or similar pedestrian shelters shall be provided and maintained in good condition along at least 50 percent of the ground floor elevation(s) of a building where the building abuts a sidewalk, civic space, or pedestrian access way. Pedestrian shelters used to meet the above standard shall extend at least five feet over the pedestrian area; except that the City, through Site Design Review, may reduce the above standards where it finds that existing right-of-way dimensions, easements, or building code requirements preclude standard shelters. In addition, the above standards do not apply where a building has a ground floor dwelling, as in a mixed- use development or live-work building, and the dwelling has a covered entrance. Pedestrian shelters shall comply with applicable building codes and shall be designed to be visually compatible with the architecture of a building. If mezzanine or transom windows exist, the shelter shall be below such windows where practical. Where applicable, pedestrian shelters shall be designed to accommodate pedestrian signage (e.g., blade signs), while maintaining required vertical clearance.
8. **ATMs and Kiosks.** Where ATMs or other kiosks are proposed on any street-facing elevation, they shall be visible from the street for security and have a canopy, awning, or other weather protection shelter.
9. **Mechanical Equipment:**
  - a. **Building Walls.** Where mechanical equipment, such as utility vaults, air compressors, generators, antennae, satellite dishes, or similar equipment, is permitted on a building wall that abuts a public right-of-way or civic space, it shall be screened. Standpipes, meters, vaults, and similar equipment need not be screened but shall not be placed on a front elevation when other practical alternatives exist; such equipment shall be placed on a side or rear elevation where practical.
  - b. **Rooftops.** Except as provided below, rooftop mechanical units shall be setback or screened behind a parapet wall so that they are not visible from any public right-of-way or civic space. Where such placement and screening is not practicable, the City may approve painting of mechanical units in lieu of screening; such painting may consist of muted, earth-tone colors that make the equipment visually subordinate to the building and adjacent buildings, if any.
  - c. **Ground-Mounted Mechanical Equipment.** Ground-mounted equipment, such as generators, air compressors, trash compactors, and similar equipment, shall be limited to side or rear yards and screened with fences or walls constructed of materials similar to those on adjacent buildings. Hedges, trellises, and similar plantings may also be used as screens where there is adequate air circulation and sunlight, and irrigation is provided. The City may require additional setbacks and noise attenuating equipment for compatibility with adjacent uses.

#### **2.2.170 Pedestrian Amenities.**

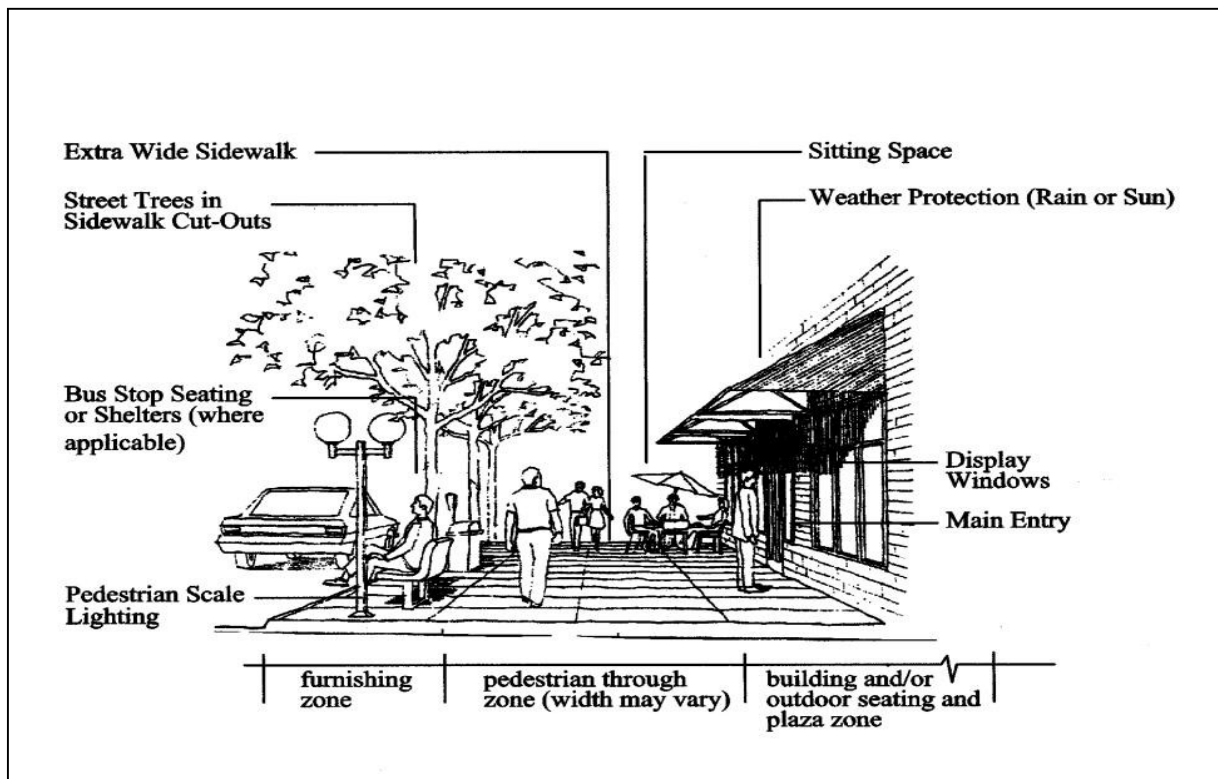
- A. Purpose and Applicability.** Commercial development shall incorporate pedestrian amenities as outlined in Chapter 3.1 Access and Circulation. This section is intended to complement the building orientation standards in Section 2.2.140, and the street standards in Chapter 3.1, by providing comfortable and inviting pedestrian spaces within the Downtown Sub-District. Pedestrian amenities serve as informal gathering places for socializing, resting, and enjoyment of the City's Downtown, and contribute to a walkable district. This section applies to all the following types of buildings:

1. Public and institutional buildings, except that the standard shall not apply to buildings which are not subject to site design review or those that do not receive the public (e.g., buildings used solely to house mechanical equipment, and similar uses); and
2. Commercial and mixed-use buildings subject to site design review.

**B. Pedestrian Amenity Standards.** Every development shall provide one or more of the “pedestrian amenities” listed and illustrated below. Pedestrian amenities may be provided within a public right-of-way (i.e., on the sidewalk, curb, or street pavement) when approved by the City (for city streets), Umatilla County (for County roads), or the Oregon Department of Transportation (“ODOT”)(for state highways).

1. A plaza, courtyard, square or extra-wide sidewalk next to the building entrance (minimum width of 8 feet);
2. Sitting space (i.e., dining area, benches or ledges between the building entrance and sidewalk (minimum of 16 inches in height and 30 inches in width));
3. Building canopy, awning, pergola, or similar weather protection (minimum projection of 4 feet over a sidewalk or other pedestrian space).
4. Public art which incorporates seating (e.g., fountain, sculpture, etc.).

**Figure 2.2.170 - Pedestrian Amenities (Typical)**



*Note: the example shown above is meant to illustrate examples of pedestrian amenities. Other types of amenities and designs may be used.*

### 2.2.180 Special Standards for Certain Uses.

This section supplements the standards contained Sections 2.2.100 through 2.2.170. It provides standards for the following land uses to control the scale and compatibility of those uses within the Downtown District:

- Residential as a Mixed Use
- Public and Institutional Uses
- Accessory Uses and Structures
- Automobile-Oriented Uses and Facilities
- Outdoor Storage and Display
- Light Manufacture

**A. Residential Mixed Use.** Higher density residential uses, such as mixed use buildings, are permitted to encourage housing near employment, shopping and services. All mixed use residential developments shall comply with the standards in 1-6, below, which are intended to require mixed use development; conserve the community's supply of commercial land for commercial uses; provide for designs which are compatible with a storefront character; avoid or minimize impacts associated with traffic and parking; and ensure proper management and maintenance of common areas. Residential uses that existed prior to the effective date of this code are exempt from this Section.

1. Mixed Use Development Required. Residential uses shall be permitted only when part of a mixed-use development (residential with commercial or public/institutional use). Residential uses will be limited to upper story floors.
2. Limitation on street-level housing. This standard is intended to reserve storefront space for commercial uses and public/institutional uses; it does not limit residential uses above the street level on upper stories. For parcels with street access at more than one level (e.g., sloping sites with two street frontages), the limitation on residential building space shall apply to all street frontages.
3. Density. There is no minimum or maximum residential density standard. Density shall be controlled by the applicable lot coverage and building height standards.
4. Parking, Garages, and Driveways. All off-street vehicle parking, including surface lots and garages, shall be oriented to alleys, placed underground, placed in structures above the ground floor, or located in parking areas located behind or to the side of the building; except that side-yards facing a street (i.e., corner yards) shall not be used for surface parking. All garage entrances facing a street (e.g., underground or structured parking) shall be recessed behind the front building elevation by a minimum of 4 feet. On corner lots, garage entrances shall be oriented to a side-street (i.e., away from Main Street) when access cannot be provided from an alley.
5. Common Areas. All common areas (e.g., walkways, drives, courtyards, private alleys, parking courts, etc.) and building exteriors shall be maintained by a homeowner's association or other

legal entity. Copies of any applicable covenants, restrictions and conditions shall be recorded and provided to the city prior to building permit approval.

- B. Public and Institutional Uses.** Public and institutional uses (as listed in Table 2.2.110.A) are allowed in the Downtown District, except that automobile-oriented uses shall comply with the standards in “E”, below. Typical automobile-oriented uses in this category include public works yards, equipment storage and repair, school bus companies, and similar facilities that store, repair or service automobiles, trucks, buses, heavy equipment, and construction materials.
- C. Accessory Uses and Structures.** Accessory uses and structures are of a nature customarily incidental and subordinate to the principal use or structure on the same lot. Typical accessory structures in the Downtown District include small workshops, greenhouses, studios, storage sheds, and similar structures. Accessory uses and structures are allowed for all permitted land uses within the Downtown District, as identified in Table 2.2.110.A. Accessory structures shall comply with the following standards:
- D.**
1. Primary use required. An accessory structure shall not be allowed before or without a primary use, as identified in Table 2.2.110.A.
  2. Setback standards. Accessory structures shall comply with the setback standards in Section 2.2.120, except that the maximum setback provisions shall not apply.
  3. Design guidelines. Accessory structures shall comply with the design guidelines, as provided in Section 2.2.160.
  4. Restrictions. A structure shall not be placed over an easement that prohibits such placement. No structure shall encroach into the public right-of-way.
  5. Compliance with subdivision standards. The owner may be required to remove an accessory structure as a condition of land division approval when removal of the structure is necessary to comply with setback standards.
- E. Automobile-Oriented Uses and Facilities.** Automobile-oriented uses and facilities, as defined below, shall conform to all the following standards in the Downtown District. The standards are intended to provide a vibrant storefront character, slow traffic down, and encourage walking.
1. Parking, Garages, and Driveways. All off-street vehicle parking, including surface lots and garages, shall be accessed from alleys or side streets, placed underground, placed in structures above the ground floor, or located in parking areas located behind or to the side of a building; except that side-yards on corner lots shall not be used for surface parking. All garage entrances facing a street (e.g., underground or structured parking) shall be recessed behind the front elevation by a minimum of 4 feet. On corner lots, garage entrances shall be oriented to a side-street (i.e., away from Main Street) when vehicle access cannot be provided from an alley. Individual surface parking lots shall not exceed one-half city block; larger parking areas shall be in multiple-story garages.
  2. Automobile-Oriented Uses. “Automobile-oriented use” means automobiles and/or other motor vehicles are an integral part of the use. These uses are restricted because, when unrestricted, they detract from the pedestrian-friendly, storefront character of the district and can consume

large amounts of land relative to other permitted uses. Automobile-oriented uses shall comply with the following standards:

- a. Vehicle repair, sales, rental, storage, service. Businesses that repair, sell, rent, store, or service automobiles, trucks, motorcycles, buses, recreational vehicles/boats, construction equipment, and similar vehicles and equipment are permitted when the use is contained within an enclosed building / permitted when the use does not exceed 5,000 square feet (indoor and outdoor) or 100 feet of street frontage, whichever is less. "Street frontage" shall be based on the frontage that is not developed with buildings or pedestrian amenities, as defined in Section 2.2.170.}
- b. Drive-up, drive-in, and drive-through facilities. Drive-up, drive-in, and drive-through facilities (e.g., associated with restaurants, banks, car washes, and similar uses) are permitted only when accessory to a primary commercial "walk-in" use, and shall conform to all the following standards:
  - (1) The facility receives access from an alley or driveway, and not a street;
  - (2) None of the drive-up, drive-in, or drive-through facilities (e.g., driveway queuing areas, windows, teller machines, service windows, drop-boxes, and similar facilities) are located within 20 feet of a street and shall not be oriented to a street corner. (Walk-up only teller machines and kiosks may be oriented to a corner);
  - (3) The facility is subordinate to a primary permitted use. "Subordinate" means all components of the facility, in total, occupy less street frontage than the primary commercial or public/institutional building; and
  - (4) No more than one drive-up, drive-in, or drive-through facility shall be permitted on one block, or for a distance of 400 linear feet along the same street frontage, whichever is less.

**F. Sidewalk Displays.** Sidewalk display of merchandise and vendors shall be limited to cards, plants, gardening/floral products, food, books, newspapers, bicycles, and similar small items for sale or rental to pedestrians (i.e., non-automobile oriented). A minimum clearance of 4 feet shall be maintained on the sidewalk at all times to allow pedestrians to pass by the displays. Display of larger items, such as automobiles, trucks, motorcycles, buses, recreational vehicles/boats, construction equipment, building materials, and similar vehicles and equipment, is prohibited.

**G. Light Manufacture.** Light manufacture uses are allowed in the Downtown. "Light manufacture" means production or manufacturing of small-scale goods, such as crafts, electronic equipment, bakery products, printing and binderies, furniture, and similar goods. Light manufacture uses shall conform to all of the following standards that are intended to protect the pedestrian-friendly, storefront character of Downtown:

1. Retail or Service Use Required. Light manufacture is allowed only when it is in conjunction with permitted retail or service use.
2. Location. The light manufacture use shall be enclosed within a building or shall be located within a rear yard not adjacent to a street.

### 2.2.190 Off Street Parking.

- A. There is no minimum number of off-street parking spaces required in the Downtown District, however, the “maximum parking” standards of Chapter 3.3 apply.

### 2.2.200 Tourist Commercial Sub-District

- A. **Purpose.** The intent of the Tourist Commercial Sub-District is to accommodate the development of commercial facilities catering to the traveling public.

The base standards of the Commercial District apply, except as modified by the standards of this Sub- District.

- B. **Permitted Land Uses.** See Table 2.2.190.A

| <b>Table 2.2.190.A</b>   |  |
|--|--|
| <b>Land Uses and Building Types Permitted in the Tourist Commercial Sub-District</b>   |  |
| <b>1. Commercial:*</b> <ul style="list-style-type: none"><li>a. Auto-oriented uses and facilities including truck stops</li><li>b. Hotels/motels</li><li>c. Office uses (i.e., those not otherwise listed)</li><li>d. Personal and professional services (<i>e.g.</i>, child care center, catering/food services, restaurants, laundromats and dry cleaners, barber shops and salons, banks and financial institutions, and similar uses)</li><li>e. Repair services</li><li>f. Uses similar to those listed above</li></ul> | <ul style="list-style-type: none"><li>b. Installation of improvements within the existing right-of-way;</li><li>c. Projects identified in the adopted Transportation System Plan not requiring future land use review and approval;</li><li>d. Landscaping as part of a transportation facility;</li><li>e. Emergency Measures;</li><li>f. Street or road construction as part of an approved subdivision or partition;</li><li>g. Transportation projects that are not designated improvements in the Transportation System Plan ** (CU); and</li><li>h. Transportation projects that are not designed and constructed as part of an approved subdivision or partition** (CU)</li></ul> |
| <b>2. Public and Institutional*:</b> <ul style="list-style-type: none"><li>a. Government facilities (public safety, utilities, and similar non-office uses)</li><li>b. Campgrounds</li><li>c. Recreational Vehicle Parks</li><li>d. Telecommunications equipment (including wireless)</li><li>e. Uses similar to those listed above (subject to CU requirements, as applicable)</li></ul>  | <b>4. Accessory Uses and Structures*</b>   |
| <b>3. Transportation Facilities and Improvements:</b> <ul style="list-style-type: none"><li>a. Normal operation, maintenance;</li></ul>  | <b>5. Industrial*:</b> Light manufacture ( <i>e.g.</i> , small-scale crafts, electronic equipment, bakery, furniture, similar goods when in conjunction with retail)   |

Land uses with (CU) shall require a Conditional Use Permit in accordance with Chapter 4.4. Uses marked with an asterisk (\*) are subject to the standards in Section 2.2.180 Special Standards for Certain uses. \*\*Uses marked with 2 asterisks are subject to the standards in Section 4.4.500. Temporary uses are subject to the standards in Section 4.9. NOTE: Section 2.2.180.D. Automobile-Oriented Uses and Facilities does not apply to development within this Sub-District.



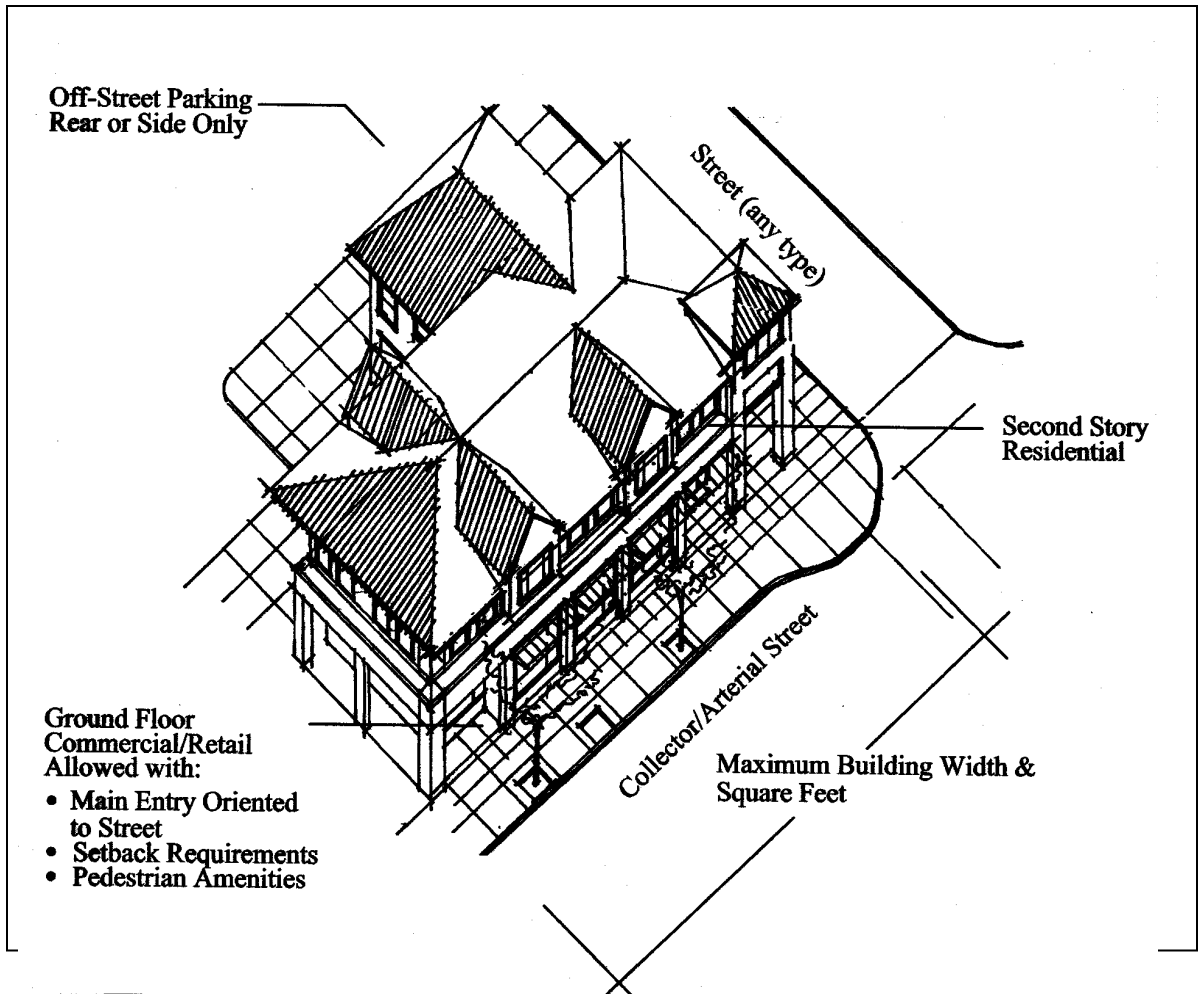
### 2.2.210 Neighborhood Commercial (NC)

- A. Purpose/Intent Statement:** The Neighborhood Commercial Sub-District is designed to provide land for small-scale commercial uses that are compatible with adjacent residential development. All Neighborhood Commercial uses shall comply with the following standards, which are intended to promote land use compatibility and transition between the Downtown Commercial, Neighborhood Commercial, and residential uses.
- B. Permitted Uses.** Only those Neighborhood Commercial uses specifically listed below may be permitted. Residential and Neighborhood Commercial uses may be mixed “vertically” — meaning that a residential use is developed above the commercial use (i.e., ground floor retail/office with upper-story apartments, townhomes, or condominiums), or may be mixed “horizontally” — meaning commercial and residential uses both occupy ground floor space. Automobile-oriented uses are expressly prohibited.

| Table 2.2.210.A<br>Land Uses and Building Types Permitted in the Neighborhood Commercial Sub-District   |  |
|---|--|
| Residential Uses:<br>Single-Family, Duplex, or TriPlex<br>Townhomes<br>Cottage Clusters<br><br>Mixed Use Building with the Commercial use to the front and the residential use to the rear, in the basement, or on the second floor | Commercial Uses:<br>Childcare Center (for more than 12 children)<br>Food Services, excluding automobile-oriented uses<br>Laundromats and dry cleaners<br>Retail Goods and services<br>Medical and dental offices, clinics, and laboratories<br>Personal Services (barber shop, salon, similar uses)<br>Professional and administrative offices<br>Repair services that can be conducted entirely within the building<br>Light Manufacture conducted entirely within the building |

- C. Building Mass Supplemental Standard.** The maximum width or length of a Neighborhood Commercial or mixed-use (residential and commercial) building shall not exceed 80 feet (from end-wall to end-wall).
- D. Floor Area Supplemental Standards.** The maximum commercial floor area shall not exceed 5,000 square feet total per site within the Neighborhood Commercial Sub-district. Floor area is measured by totaling the interior floor area of all building stories, except crawl spaces (i.e., with less than 7 ½ feet of vertical clearance).
- E. Hours of Operation.** Neighborhood Commercial land uses shall be limited to the following hours of operation: 7 a.m. to 8 p.m.

Figure 2.1.500 - Neighborhood Commercial (Typical Site Layout)



## Chapter 2.3 — General Industrial (GI) District

### Sections:

#### 2.3.100 - Purpose

#### 2.3.110 - Permitted Land Uses

#### 2.3.120 - Development Setbacks

#### 2.3.130 - Lot Coverage

#### 2.3.140 - Development Orientation

#### 2.3.150 - Building Height

#### 2.3.160 - Special Standards for Certain Uses

#### 2.3.170 - Transportation Industrial Sub-District

### 2.3.100 Purpose.

The General Industrial District accommodates a range of light and heavy industrial land uses. It is intended to segregate incompatible developments from other districts, while providing a high-quality environment for businesses and employees. This chapter guides the orderly development of industrial areas based on the following principles:

- Provide for efficient use of land and public services.
- Provide transportation options for employees and customers.
- Locate business services close to major employment centers.
- Ensure compatibility between industrial uses and nearby commercial and residential areas.
- Provide appropriate design standards to accommodate a range of industrial users, in conformance with the Comprehensive Plan.

### 2.3.110 Permitted Land Uses.

- A. Permitted Uses.** The land uses listed in Table 2.3.110.A are permitted in the General Industrial District, subject to the provisions of this Chapter and the requirements of Chapter 3 Design Standards as applicable based on the review process. Only land uses that are specifically listed in Table 2.3.110.A, and land uses that are approved as “similar” to those in Table 2.3.110.A, may be permitted. The land uses identified with a “CU” in Table 2.3.110.A require Conditional Use Permit approval prior to development or a change in use, in accordance with Chapter 4.4.
- B. Determination of Similar Land Use.** Similar use determinations shall be made in conformance with the procedures in Chapter 4.8 Interpretations.

**Table 2.3.110.A**  
**Land Uses and Building Types Permitted in the General Industrial District**

|  |   |
|--|---|
| <p><b>1. Industrial:</b></p> <ul style="list-style-type: none"> <li>a. Heavy manufacturing, assembly, and processing of raw materials*</li> <li>b. Light manufacture (e.g., electronic equipment, printing, bindery, furniture, and similar goods)</li> <li>c. Warehousing and distribution</li> <li>d. Junk yard, motor vehicle wrecking yards, and similar uses</li> <li>e. Wholesale Trade</li> <li>f. Fuel and Ice dealers</li> <li>g. Heavy Repair services</li> <li>h. Warehouse and Grain elevators</li> <li>i. Railroad spur line and ancillary facilities (engine repair, tie plant, bunkhouse, etc.)</li> <li>j. Research, experimental, or testing laboratories</li> <li>k. Sewage treatment plant</li> <li>l. Transportation terminals</li> <li>m. Utility Substations*</li> <li>n. Contractor's yards and shops</li> <li>o. Junk Yards or Wrecking Yards (CU)</li> <li>p. Retail or service businesses less than 3,000 square feet that are accessory to industrial development*(CU)</li> <li>q. Manufacturing, processing or assembly that does not comply with performance standards of the general industrial zone;* (CU)</li> <li>r. Garbage incineration* (CU)</li> <li>s. Sanitary landfill* (CU)</li> <li>t. Asphalt batch plants* (CU)</li> <li>u. Refining or storage of petroleum products* (CU)</li> <li>v. Manufacturing of explosives, chemicals, fertilizers, pesticides, gas, or inflammable fluids*</li> <li>w. Smelting or re-manufacturing of ores and metals*</li> <li>x. Uses similar to those listed above</li> </ul> <p><b>2. Transportation-Industrial Sub-District (only)*</b></p> <ul style="list-style-type: none"> <li>a. Construction and maintenance of railroad main line siding, spur lines and marshalling yard.</li> <li>b. Railroad ancillary facilities, including tie plants, engine and car repair, bunk house(s), and administrative facilities</li> <li>c. Warehousing</li> <li>d. Transportation terminals and services</li> <li>e. Ancillary or railroad-related manufacturing plant not owned by the Union Pacific railroad or its subsidiaries.</li> </ul> | <p><b>3. Commercial:</b></p> <ul style="list-style-type: none"> <li>a. Offices and other commercial uses that are integral to a primary industrial use (e.g., administrative offices, wholesale of goods produced on location, and similar uses).</li> </ul> <p><b>4. Public and Institutional uses</b></p> <ul style="list-style-type: none"> <li>a. Government facilities (e.g., public safety, utilities, school district bus facilities, public works yards, and similar facilities) where the public is generally not received;</li> <li>b. Private utilities (e.g., natural gas, electricity, telephone, cable, and similar facilities);</li> <li>c. Recycling, solid waste transfer facilities, or composting facilities.</li> <li>d. Passive open space (e.g., natural areas);</li> <li>e. Special district facilities (e.g., irrigation district, and similar facilities (not open to the public)</li> <li>f. Vocational schools co-located with parent industry or sponsoring organization;</li> <li>g. Uses similar to those listed above.</li> </ul> <p><b>5. Transportation Facilities and Improvements:</b></p> <ul style="list-style-type: none"> <li>a. Normal operation, maintenance;</li> <li>b. Installation of improvements within the existing right-of-way;</li> <li>c. Projects identified in the adopted Transportation System Plan not requiring future land use review and approval;</li> <li>d. Landscaping as part of a transportation facility;</li> <li>e. Emergency Measures;</li> <li>f. Street or road construction as part of an approved subdivision or partition;</li> <li>g. Transportation projects that are not designated improvements in the Transportation System Plan ** (CU); and</li> <li>h. Transportation projects that are not designed and constructed as part of an approved subdivision or partition** (CU).</li> </ul> <p><b>6. Residential:</b> One caretaker unit shall be permitted for each development, subject to the standards in Section 2.3.160. Other residential uses are not permitted, {except those residences existing prior to the effective date of this Code may continue.}</p> <p><b>7. Wireless Communication Equipment:</b> subject to the standards in Chapter 3.6.100.</p> |
|--|---|

NOTE: Only uses specifically listed in Table 2.3.110.A, and uses similar to those in Table 2.3.110.A, are permitted in this district. **The following uses are expressly prohibited:** new housing, churches and similar facilities and schools. Land uses with (CU) shall

require a Conditional Use Permit in accordance with Chapter 4.4. Uses marked with an asterisk (\*) are subject to the standards in Section 2.3.160 Special Standards for Certain Uses. \*\*Uses marked with 2 asterisks are subject to the standards in Section 4.4.400D. Temporary uses are subject to the standards in Section 4.9.

### **2.3.120 Development Setbacks.**

Development setbacks provide separation between industrial and non-industrial uses for fire protection/security, building maintenance, sun light and air circulation, noise buffering, and visual separation.

- A. Front Yard Setbacks.** The minimum front yard setback shall be 20 feet. The setback standard shall increase by one foot for every one foot of building height in excess of 30 feet. No setback is required adjacent to railroad tracks.
- B. Rear Yard Setbacks.** There is no required rear yard setback, except that industrial development (i.e., buildings, parking, outdoor storage, and industrial activities) shall be set back from Residential districts by a minimum of 40 feet, and from other non-General Industrial districts by a minimum of 20 feet; the rear setback in this case shall increase by one foot for every one foot of building height in excess of 30 feet. No setback is required adjacent to railroad tracks.
- C. Side Yard Setbacks.** There are no required side-yard setbacks, except that industrial development (i.e., buildings, parking, outdoor storage, and industrial activities) shall be set back from Residential districts by a minimum of 40 feet, and from other non-General Industrial districts by a minimum of 20 feet; the rear setback in this case shall increase by one foot for every one foot of building height in excess of 30 feet. No setback is required adjacent to railroad tracks.
- D. Other Yard Requirements.**
  - 1. Buffering. The City may require landscaping, walls, or other buffering in setback yards to mitigate adverse noise, light, glare, and aesthetic impacts to adjacent properties.
  - 2. Neighborhood Access. Construction of pathway(s) within setback yards may be required to provide pedestrian connections to adjacent neighborhoods or other districts, in accordance with Chapter 3.1 - Access and Circulation Standards.
  - 3. Building and Fire Codes. All developments shall meet applicable fire and building code standards, which may require setbacks different from those listed above (e.g., combustible materials, etc.).

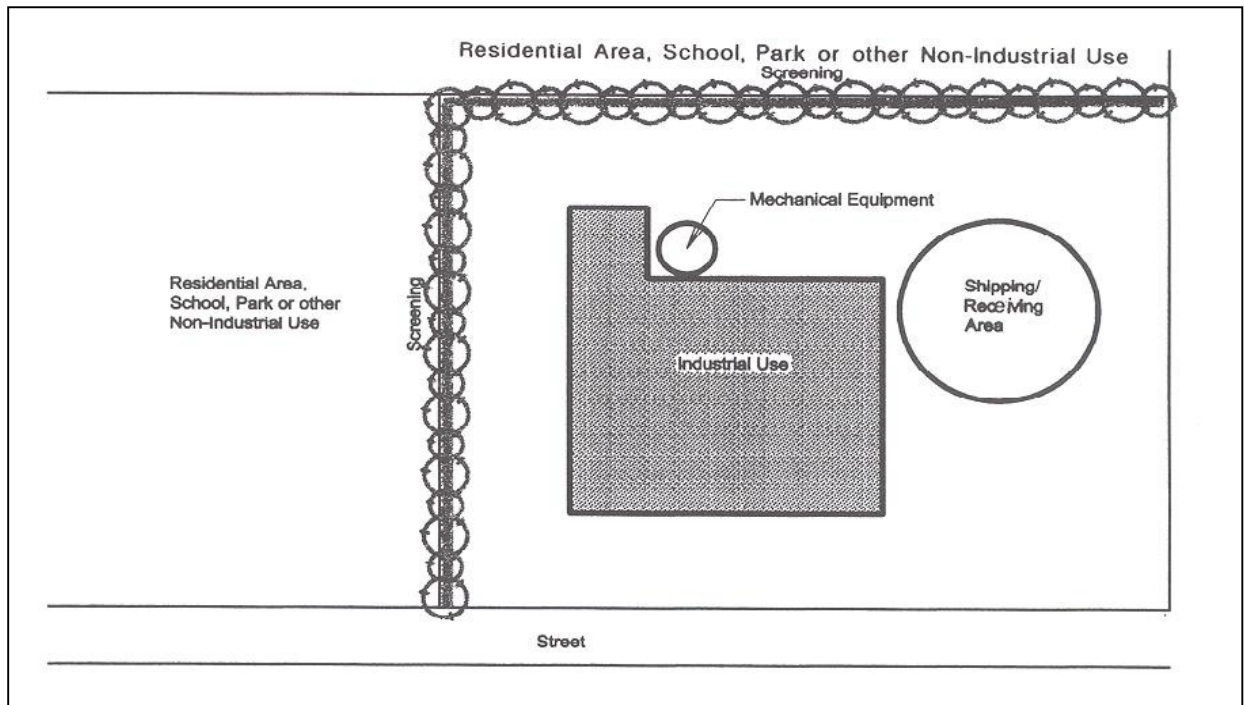
### **2.3.130 Lot Coverage.**

The maximum allowable lot coverage in the General Industrial District is 80 percent. The maximum allowable lot coverage is computed by calculating the total area covered by buildings and impervious (paved) surfaces, including accessory structures. Compliance with other sections of this code may preclude development of the maximum lot coverage for some land uses.

### 2.3.140 Development Orientation.

Industrial developments shall be oriented on the site to minimize adverse impacts (e.g., noise, glare, smoke, dust, exhaust, vibration, etc.) and protect the privacy of adjacent non-industrial uses to the extent possible. The following standards shall apply to all development in the General Industrial District:

**Figure 3.A - Industrial Development Orientation**



- A. Mechanical equipment, lights, emissions, shipping/receiving areas, and other components of an industrial use that are outside enclosed buildings, shall be located away from residential areas, schools, parks, and other non-industrial areas to the maximum extent practicable; and
- B. The City may require a landscape buffer, or other visual or sound barrier (fence, wall, landscaping, or combination thereof) to mitigate adverse impacts that cannot be avoided through building orientation standards alone. This type of installation is required when the development is adjacent to a residential use zone.

### 2.3.150 Building Height.

The following building height standards are intended to promote land use compatibility and flexibility for industrial development at an appropriate community scale:

- A. **Base Requirement.** Buildings shall be no more than 3 stories or 35 feet in height, whichever is greater, and shall comply with the building setback standards in Section 2.3.120.

- B. Performance Option.** The allowable building height may be increased to 45 feet, when approved as part of a Conditional Use Permit. The development approval may require additional setbacks, stepping down of building elevations, visual buffering, screening, and/or other appropriate measures to provide a height transition between industrial development and adjacent non-industrial development. Smokestacks, cranes, roof equipment, grain elevators, storage silos, and other similar features which are necessary to the industrial operation may not exceed 55 feet in height without approval of a Conditional Use Permit.
- C. Method of Measurement.** “Building height” is measured as the vertical distance above a reference datum measured to the highest point of the coping of a flat roof or to the deck line of a mansard roof or to the average height of the highest gable of a pitched or hipped roof (See Figure 2.1.170 for examples of measurement). The reference datum shall be selected by either of the following, whichever yields a greater height of building:
1. The elevation of the highest adjoining sidewalk or ground surface within a five-foot horizontal distance of an exterior wall of the building when such sidewalk or ground surface is not more than 10 feet above the lowest grade; or
  2. An elevation 10 feet higher than the lowest grade when the sidewalk or ground surface described in subsection ‘a’ is more than 10 feet above the lowest grade. The height of a stepped or terraced building is the maximum height of any segment of the building. Not included in the maximum height are: bell towers, steeples, flag poles, antennas and similar features which are not for human occupancy.
- D.** Grain elevators, smokestacks, and transmission towers are exempt from height limit standards.

### **2.3.160 Special Standards for Certain Uses.**

- A. Uses With Significant Noise, Light/Glare, Dust, Vibration, or Traffic Impacts.** The following uses shall require Conditional Use Permit approval, in addition to Development Review or Site Design Review:
1. Uses With Significant Noise, Light, Glare, Dust, and Vibration Impacts. Uses that are likely to create significant adverse impacts beyond the Industrial District boundaries, such as noise, light, glare, dust, or vibration, shall require conditional use approval, in conformance with Chapter 4.4. The following criteria shall be used in determining if the adverse impacts of a use are likely to be “significant”:
    - a. Noise. The noise level beyond the property line exceeds 55 dBA (24-hour average) on a regular basis.
    - b. Light or glare. Lighting and/or reflected light from the development exceeds ordinary ambient light and glare levels (i.e., levels typical of the surrounding area).
    - c. Dust and/or Exhaust. Dust and/or exhaust emissions from the development exceeds ambient dust or exhaust levels, or levels that existed prior to development.
    - d. Vibration. Vibration (e.g., from mechanical equipment) is sustained and exceeds ambient vibration levels (i.e., from adjacent roadways and existing land uses in the surrounding area).

2. **Traffic.** Uses that are likely to generate unusually high levels of vehicle traffic due to shipping and receiving. “Unusually high levels of traffic” means that the average number of daily trips on any existing street would increase by 20 percent or 100 vehicles per day or greater as a result of the development. The city may require a traffic impact analysis prepared by a qualified professional prior to deeming a land use application complete and determining whether the proposed use requires conditional use approval. Applicants may be required to provide a traffic analysis for review by ODOT for developments that increase traffic on state highways. See Chapter 4.2 for submittal requirements for Traffic Impact Analyses in the Site Design Review Process.
3. **Resource extraction,** such as the operation of mineral and aggregate quarries and similar uses, shall require a Conditional Use Permit. The applicant shall also be required to prepare a site reclamation plan for review and approval by the city and other affected agencies, prior to commencing resource extraction. The required scope of the reclamation plan shall be identified by the Conditional Use Permit, and shall comply with applicable requirements of State natural resource regulatory agencies.

**B. Residential Caretakers.** One residential caretaker unit shall be permitted for each primary industrial use, subject to the following conditions:

1. The unit shall be served with public water and sanitary sewerage disposal, in conformance with city engineering requirements.
2. Caretaker units shall be required to meet applicable fire safety and building code requirements, in addition to the applicable setback standards of this chapter.

**C. Wireless Communication Equipment.** Wireless communication equipment includes radio (i.e., cellular), television and similar types of transmission and receiving facilities. The requirements for wireless communication equipment are provided in Section 3.6.200. Wireless communication equipment shall also comply with required setbacks, lot coverage and other applicable standards of the Industrial District.

**D. Railroad Related Uses.** Development of rail related uses as described in Section 2.3.170 shall include light deflection standards including lighting of railroad lines and yards shall be shielded away from the existing and designated future residential areas within the Stanfield UGB.

#### **2.3.170 Transportation Industrial Sub-District Standards.**

**A. Purpose/Intent Statement:** The Transportation-Industrial Sub-District is designed to accommodate operations of the Union Pacific Railroad in the vicinity of its main line along the western edge of the Stanfield UGB.

**B. Permitted Uses:** The land uses listed in Table 2.3.110.A are permitted in the Transportation Industrial District, subject to the provisions of this Chapter. Only land uses that are specifically listed in Table 2.3.110.A, and land uses that are approved as “similar” to those in Table 2.3.110.A, may be permitted. The land uses identified with a “CU” in Table 2.3.110.A require Conditional Use Permit



approval prior to development or a change in use, in accordance with Chapter 4.4.

- C. **Determination of Similar Land Use.** Similar use determinations shall be made in conformance with the procedures in Chapter 4.8 - Interpretations.
- D. **Standards.** Additional development standards for the Transportation Industrial Sub-District are included in Section 2.3.160 Special Standards for Certain Uses.

## Chapter 2.4 — Light Industrial (LI) District

### Sections:

- 2.4.100 - Purpose
- 2.4.110 - Permitted Land Uses
- 2.4.120 - Development Setbacks
- 2.4.130 - Lot Coverage
- 2.4.140 - Building Height
- 2.4.150 - Building Orientation
- 2.4.160 - Design Guidelines and Standards
- 2.4.170 - Special Standards for Certain Uses

### **2.4.100 Purpose.**

The Light Industrial District accommodates a range of light manufacturing, industrial-office uses, automobile-oriented uses (e.g., lodging, restaurants, auto-oriented retail), and similar uses which are not appropriate in downtown or main street areas. The district's standards are based on the following principles:

- Ensure efficient use of land and public services.
- Provide a balance between jobs and housing and encourage mixed use development. Provide transportation options for employees and customers.
- Provide business services close to major employment centers.
- Ensure compatibility between industrial uses and nearby residential areas. Provide appropriately zoned land with a range of parcel sizes for industry.
- Provide for automobile-oriented uses, while preventing strip-commercial development in highway corridors.

### **2.4.110 Permitted Land Uses.**

**A. Permitted Uses.** The land uses listed in Table 2.4.110.A are permitted in the Light Industrial District, subject to the provisions of this Chapter and the requirements of Chapter 3 Design Standards as applicable based on the review process. Only land uses which are specifically listed in Table 2.4.110.A, and land uses which are approved as "similar" to those in Table 2.4.110.A, may be permitted. The land uses identified with a "CU" in Table 2.4.110.A require Conditional Use Permit approval prior to development or a change in use, in accordance with Chapter 4.4.

**B. Determination of Similar Land Use.** Similar use determinations shall be made in conformance with the procedures in Chapter 4.8 - Interpretations.

**Table 2.4.110.A**  
**Land Use Types Permitted in the Light Industrial District**

|  |  |
|--|--|
| <p><b>1. Industrial *:</b></p> <ul style="list-style-type: none"> <li>a. Light manufacture (e.g., electronic equipment, printing, bindery, furniture, and similar goods)</li> <li>b. Research facilities</li> <li>c. Administrative Offices</li> <li>d. Printing and publishing</li> <li>e. Warehousing and distribution</li> <li>f. Mini-warehouse and storage</li> <li>g. Similar uses</li> </ul> <p><b>2. Commercial:</b></p> <ul style="list-style-type: none"> <li>a. Wholesale Trade</li> <li>b. Building materials, agricultural and garden supplies</li> <li>c. Mail order retail sales</li> <li>d. Interim farm use: cropland or grazing only</li> <li>e. Automobile-oriented uses (vehicle repair, sales, rental, storage, service; and drive-up, drive-in, and drive-through facilities)*</li> <li>f. Hotels and motels</li> <li>g. Medical and dental clinics and laboratories, including veterinary clinics</li> <li>h. Outdoor commercial uses (e.g., outdoor storage and sales)</li> <li>i. Personal and professional services (e.g., childcare, catering/food services, restaurants, laundromats and dry cleaners, barber shops and salons, banks and financial institutions, and similar uses)</li> <li>j. Repair services</li> <li>k. Retail trade and services;</li> <li>l. Wholesale trade and services;</li> <li>m. Uses similar to those listed above</li> </ul> | <p><b>3. Civic and Semi-Public Uses :</b></p> <ul style="list-style-type: none"> <li>a. Government facilities (e.g., public safety, utilities, school district bus facilities, public works yards, transit and transportation, and similar facilities)</li> <li>b. Utilities (e.g., natural gas, electricity, telephone, cable, and similar facilities)</li> <li>c. Special district facilities (e.g., irrigation district, and similar facilities)</li> <li>d. Vocational schools</li> <li>e. Uses similar to those listed above.</li> </ul> <p>a. Transportation Facilities and Improvements:</p> <ul style="list-style-type: none"> <li>1. Normal operation, maintenance;</li> <li>2. Installation of improvements within the existing right- of-way;</li> <li>3. Projects identified in the adopted Transportation System Plan not requiring future land use review and approval;</li> <li>4. Landscaping as part of a transportation facility;</li> <li>5. Emergency Measures;</li> <li>6. Street or road construction as part of an approved subdivision or partition;</li> <li>7. Transportation projects that are not designated improvements in the Transportation System Plan ** (CU); and</li> <li>8. Transportation projects that are not designed and constructed as part of an approved subdivision or partition** (CU).</li> </ul> <p><b>4. Accessory Uses and Structures</b> (such as storage sheds and outbuildings)</p> <p><b>5. Wireless communication equipment</b> subject to 3.6.100</p> |
|--|--|

NOTE: Only uses specifically listed in Table 2.4.110.A, and uses similar to those in Table 2.4.110.A, are permitted in this district. **The following uses are expressly prohibited:** new housing, churches and similar facilities, and schools. Land uses with (CU) shall require a Conditional Use Permit in accordance with Chapter 4.4. Uses marked with an asterisk (\*) are subject to the standards in Section 2.3.160 Special Standards for Certain Uses. \*\*Uses marked with 2 asterisks are subject to the standards in Section 4.4.500. Temporary uses are subject to the standards in Section 4.9.

#### **2.4.120 Development Setbacks.**

Development setbacks provide building separation for fire protection/security, building maintenance, sunlight and air circulation, noise buffering, and visual separation. Building setbacks are measured from the building foundation to the respective property line.

- A. **Front Yard Setbacks.** The minimum front yard building setback shall be 15 feet, except that additional setback yards may be required to provide for planned widening of an adjacent street.
- B. **Rear Yard Setbacks.** There is no required rear yard setback, except that buildings shall be setback from the Residential District by a minimum of 20 feet.
- C. **Side Yard Setbacks.** There are no required side-yard setbacks, except that buildings shall be setback from the Residential District by a minimum of 15 feet.
- D. **Other Yard Requirements.**
  - 1. **Buffering.** A 5-foot minimum buffer zone (in addition to the minimum setbacks) shall be required between development and any adjacent Residential District. The 5-foot landscaped buffer zone shall provide landscaping to screen parking, service and delivery areas, and walls without windows or entries, as applicable. The buffer may contain pedestrian seating but shall not contain any trash receptacles or storage of equipment, materials, vehicles, etc. The landscaping standards in Chapter 3.2 may require other buffering as well.
  - 2. **Neighborhood Access.** Construction of pathway(s) and fence breaks in setback yards may be required to provide pedestrian connections to adjacent neighborhoods or other districts, in accordance with Chapter 3.1 - Access and Circulation Standards.
  - 3. **Building and Fire Codes.** All developments shall meet applicable fire and building code standards, which may require setbacks different from those listed above (e.g., combustible materials, etc.).

#### **2.4.130 Lot Coverage.**

The maximum allowable lot coverage in the Light Industrial District is 80 percent. Compliance with other sections of this code may preclude development of the maximum lot coverage for some land uses.

#### **2.4.140 Building Height.**

The following building height standards are intended to promote land use compatibility and flexibility for industrial development at an appropriate community scale:

- A. **Base Requirement.** Buildings shall be no more than 3 stories or 35 feet in height, whichever is greater.
- B. **Performance Option.** The allowable building height may be increased to 45 feet, when approved as part of a Conditional Use Permit. The development approval may require additional setbacks, stepping down of building elevations, visual buffering, screening, and/or other appropriate measures to provide a height transition between the development and adjacent non-industrial development. Roof equipment and other similar features that are necessary to the industrial operation shall be screened and may not exceed 55 feet in height without approval of a Conditional Use Permit.
- C. **Method of Measurement.** "Building height" is measured as the vertical distance above a reference datum measured to the highest point of the coping of a flat roof or to the deck line of a mansard

roof or to the average height of the highest gable of a pitched or hipped roof. (See Figure 2.1.170 for examples of measurement.) The reference datum shall be selected by either of the following, whichever yields a greater height of building:

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

**D. Exceptions:** Not included in the maximum height are chimneys, grain elevators, roof equipment, flag poles, and similar features which are not for human occupancy.

#### **2.4.150 Building Orientation.**

All the following standards shall apply to new development within the Light Industrial District in order to reinforce streets as public spaces and encourage alternative modes of transportation, such as walking and bicycling

- A. Building Entrances.** All buildings shall have a primary entrance oriented to a street. "Oriented to a street" means that the building entrance faces the street or is connected to the street by a direct and convenient pathway. Streets used to comply with this standard may be public streets, or private streets that contain sidewalks and street trees, in accordance with the design standards in Chapter 3.
- B. Pathway Connections.** Pathways shall be placed through yard setbacks as necessary to provide direct and convenient pedestrian circulation between developments and neighborhoods. Pathways shall conform to the standards in Chapter 3.
- C. Arterial Streets.** When the only street abutting a development is an arterial street, the building's entrance(s) may be oriented to an internal drive. The internal drive shall provide a raised pathway connecting the building entrances to the street right-of-way. The pathway shall conform to the standards in Chapter 3.
- D. Buffers.** The City may require a total of 20 foot landscape buffer between development in the Light Industrial District and adjacent Residential District(s) to reduce light, glare, noise, and aesthetic impacts. This buffer is in addition to the minimum setback standards listed in Section 2.4.120.

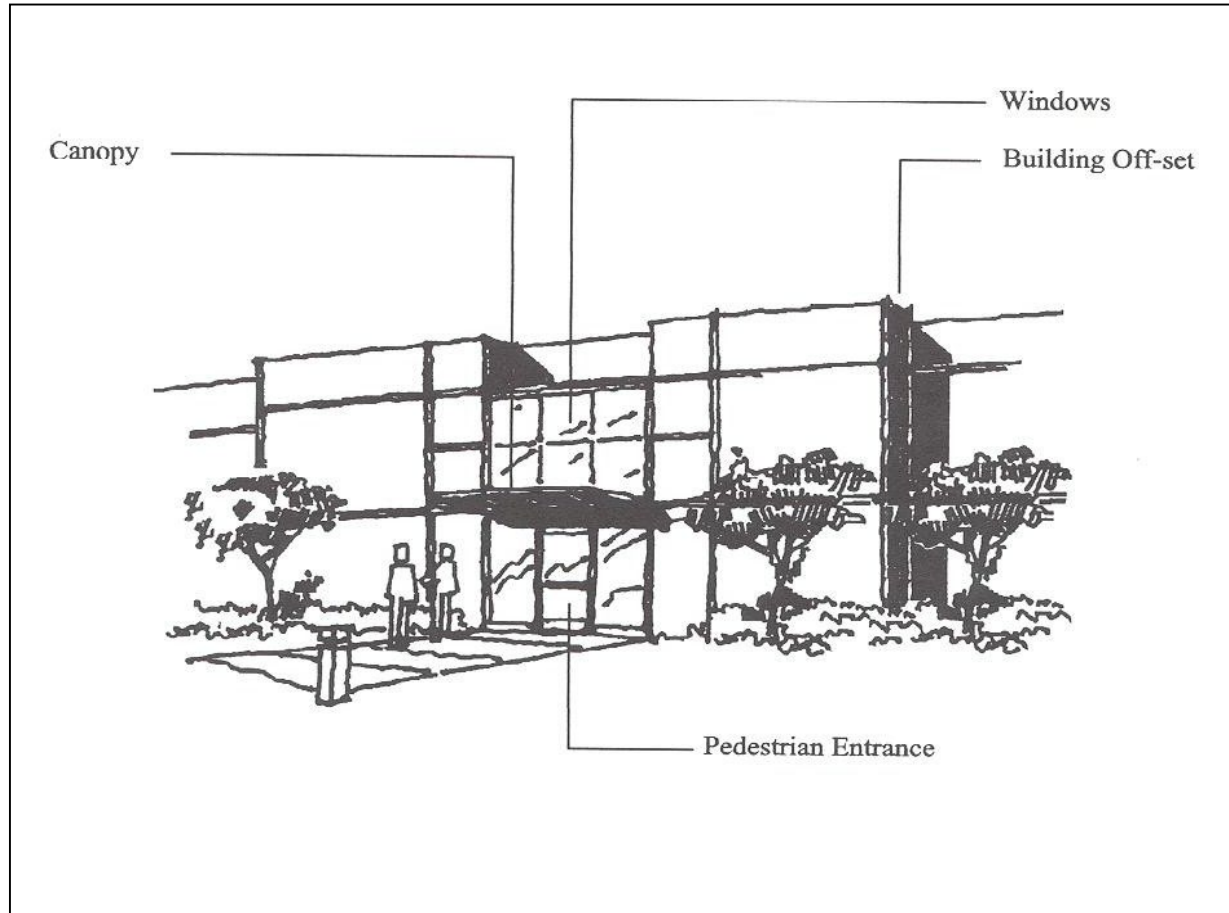
#### **2.4.160 Design Standards.**

All developments in the Light Industrial District shall be evaluated during Site Design Review for conformance with the following criteria.

- A. Building Mass.** Where building elevations are oriented to the street in conformance with Section 2.4.150, design features such as windows, pedestrian entrances, building off-sets, projections, detailing, change in materials, or similar features, shall be used to break up and articulate large building surfaces and volumes.

- B. Pedestrian-Scale Building Entrances.** Recessed entries, canopies, and/or similar features shall be used at the entries to buildings to create a pedestrian-scale.

**Figure 4.A – Design Features (Typical)**



*Note: The example is meant to illustrate typical building design elements and should not be interpreted as a required design or style.*

#### **2.4.170 Special Standards for Certain Uses.**

**A. High Traffic-Generating Uses.**

1. Uses which are likely to generate “significant” levels of vehicle traffic (e.g., due to shipping, receiving, and/or customer traffic) shall require a Conditional Use Permit, in accordance with Chapter 4.4. “Significant traffic” means that the average number of daily trips, or the average number of peak hour trips, on any existing street would increase by 20 percent or 100 vehicles per day or greater because of the development.
2. The city may require a traffic impact analysis prepared by a qualified professional prior to deeming a land use application complete and determining whether the proposed use requires conditional use approval. Applicants may be required to provide a traffic analysis for review by

the Oregon Department of Transportation (ODOT) for developments that increase traffic on state highways. The Conditional Use Permit shall include appropriate transportation improvement requirements, as identified by the traffic analysis and/or ODOT, in conformance with Section 3.4.100. See Chapter 4.10 for submittal requirements for Traffic Impact Analysis in the Site Design Review Process.

- B. Wireless Communication Equipment.** Wireless communication equipment, including radio, television, cellular, and similar types of transmission and receiving facilities are permitted, subject to the standards for wireless communication equipment in Section 3.6.200.

## **Chapter 2.5 – Master Planned Development (PD)**

### **Sections:**

**2.5.100 - Purpose**

**2.5.200 - Applicability**

**2.5.300 - Master Plan Required**

**2.5.400 - Land Use and Design Standards**

**2.5.500 - Implementation**

### **2.5.100 Purpose.**

The purpose of this Section is to ensure the development of fully integrated mixed-use pedestrian-oriented neighborhoods. The intent is to minimize traffic congestion, urban and suburban sprawl, infrastructure costs, and environmental degradation, particularly as new development takes place on large parcels of land. An example of this would be a large multi-phased subdivision or large industrial park-type development. These standards provide requirements that allow the City to control the way a large development would affect adjacent land use and transportation patterns.

### **2.5.200 Applicability.**

This Section applies to all parcels, and development sites with more than one parcel, in any land use district, that are 40 acres or larger. An applicant may also choose to apply for a Master Planned Development on smaller tracts of land to obtain the benefits of the Master Planned Development overlay.

### **2.5.300 Master Plan Required.**

Prior to land division approval, a Master Plan shall be prepared for all sites meeting the criteria in Section 2.5.200. Master Plans shall follow the procedures in Chapter 4.5 - Master Planned Developments except that a Master Plan shall not be required if a Specific Area Plan has been adopted for the subject area.

### **2.5.400 Land Use and Design Standards.**

Master Planned Developments shall be evaluated based on the criteria in Chapter 4.5 and shall be consistent with the following design principles:

1. All developments have identifiable centers and outer boundaries;
2. Edge lots are readily accessible to Neighborhood Commercial and recreational uses by walking and bicycling (a distance not greater than one-quarter mile);
3. Uses and, when applicable, housing types are mixed and in close proximity to one another;



4. For residential developments streets are connected and blocks are small (e.g., between 200-600 feet in length; with a maximum perimeter of 1,600 feet);
5. For commercial or industrial development streets are connected and blocks are appropriate to the proposed uses;
6. Civic buildings, monuments, and open spaces (e.g., parks, squares, greenbelts, natural areas, etc.) are given prominent sites throughout the development, as appropriate;
7. Overall and when appropriate, the development plan achieves a housing density within the ranges identified in the Comprehensive Plan and Residential District standards;
8. Land needed for public use (e.g., schools, parks, fire stations, and other facilities) shall be designated on the Master Plan, in accordance with the Comprehensive Plan.

#### **2.5.500 Implementation.**

Upon approval of a Master Plan, the development shall follow the Land Division procedures in Chapter 4.3, and the Site Design Review procedures in Chapter 4.2, as applicable. Any modifications to the approved Master Plan shall be subject to the standards and procedures in Chapter 4.6 - Modifications.

## 2.6 Open Space District (OS)

### Sections

**2.6.100 - Purpose of the Open Space District**

**2.6.200 - Permitted Land Uses**

**2.6.300 - Development Setbacks**

**2.6.400 - Special Standards for Certain Uses**

### **2.6.100 Purpose of the Open Space District**

The OS District is designed to accommodate the vast hillside buffer area between the Union Pacific RR Mainline and existing and potential residential and industrial development north and west of the city center.

### **2.6.200 Permitted Land Uses**

| <b>Table 2.6.200</b><br><b>Land Uses and Building Types Permitted in the Open Space District</b>   |   |
|--|---|
| <b>1. Transportation Facilities and Improvements</b><br>a. Normal operation, maintenance;<br>b. Installation of improvements within the existing right-of-way;<br>c. Projects identified in the adopted Transportation System Plan not requiring future land use review and approval;<br>d. Landscaping as part of a transportation facility;<br>e. Emergency Measures;<br>f. Street or road construction as part of an approved subdivision or partition;<br>g. Transportation projects that are not designated improvements in the Transportation System Plan ** (CU); and | <b>h.</b> Transportation projects that are not designed and constructed as part of an approved subdivision or partition** (CU)<br><br><b>2. Recreational Uses *** (CU):</b><br>a. Public or private golf courses,<br>b. Parks, playgrounds, and related accessory structures.<br><br><b>3. Wireless Communications Facilities</b><br>subject to 3.6.100 |

Land uses with (CU) shall require a Conditional Use Permit in accordance with Chapter 4.4. \*\*Uses marked with 2 asterisks are subject to the standards in Section 4.4.400D. \*\*\* Uses marked with three asterisks are subject to the standards in 2.6.300.D. Temporary uses are subject to the standards in Section 4.9.

### **2.6.300 Standards**

- A. Parcel Size:** A minimum of 10 acres.
- B. Setbacks:** All structures shall be at least 20 feet from all property lines.
- C. Additional Standards.** All development shall follow the standards in Chapter 3 Design Standards as well as the permitting procedures in Chapter 4.
- D. Recreational Uses.** Recreational uses located within the zone shall not obstruct flood flows or the open space concept.

## Chapter 2.7 — Floodplain Overlay District (FP)

### Sections:

- 2.7.100 - Purpose
- 2.7.200 - Location
- 2.7.300 - Floodplain Overlay District
- 2.7.400 - Prohibited Uses in the Floodplain Overlay District
- 2.7.500 - Development Standards in the Floodplain Overlay District
- 2.7.600 - Floodway Sub-District
- 2.7.700 - Riparian Corridor Sub-District

### **2.7.100 Purpose**

The Floodplain Overlay District and related Floodway Sub-District are intended to protect the floodplain and floodway areas along the Stage Gulch Ditch and the Umatilla River. The provisions of Chapter 3.7 Floodplain Design Standards are an important part of fully implementing the uses allowed in this Chapter.

### **2.7.200 Location**

The Floodplain Overlay District comprises the area designated within the 500- and 100-year Floodplain on the Revised Preliminary “Flood Boundary and Floodway Map” issued by the Federal Emergency Management Agency on September 2, 2010, as part of the Flood Insurance Study for the City of Stanfield.

### **2.7.300 Floodplain Overlay District (FP)**

- A. Permitted Uses in the Floodplain District.** The following table lists the permitted uses in the Floodplain Overlay District.

| <b>Table 2.7.300</b><br><b>Land Uses and Building Types Permitted in the Floodplain Overlay District</b>   |  |   |
|--|--|---|
| <b>1. Structure-Related Uses*</b><br>a. Fences and freestanding walls<br>b. Change of use of a building<br>c. Open wall buildings for farm or recreation use<br>d. Open wall porch, patio, and similar additions<br>e. Parking lot, driveway, sidewalk, open patio, or deck.<br>f. Additions to existing buildings only if located within the triangular "obstructed flow zones"<br>g. Replacement of an existing building or manufactured home.<br><br><b>2. Transportation Facilities and Improvements*</b><br>a. Normal operation, maintenance; | b. Installation of improvements within the existing right-of-way;<br>c. Projects identified in the adopted Transportation System Plan not requiring future land use review and approval;<br>d. Landscaping as part of a transportation facility;<br>e. Emergency Measures;<br>f. Street or road construction as part of an approved subdivision or partition;<br>g. Transportation projects that are not designated improvements in the Transportation System Plan ** (CU); and<br>h. Transportation projects that are not designed and constructed as part of an approved subdivision or partition** (CU) | <b>3. Other Development*</b><br>a. Bridges (CU)<br>b. Water course alterations including but not limited to relocation, widening, or deepening of the channel, gravel extraction, and the construction or modification of levees. (CU)<br>c. Public or private parks, golf courses, and other non- structural recreation development. (CU)<br>d. Removal Fill Activities with a permit from the Department of State Lands |

Uses marked with an asterisk (\*) are subject to the standards in Chapter 3.7, Floodplain Design Standards. Temporary uses are subject to the standards in Section 4.9. \*\* Uses marked with 2 asterisks are subject to the standards in Section 4.4.400.D. CU= Conditional Use Permit Required

## 2.7.400 Prohibited Uses in the Floodplain Overlay District

### A. Prohibited Uses in the Floodplain Overlay District

1. Construction of closed structures, including dwellings, mobile homes, out-buildings, and farm buildings, except per 2.7.500.
2. Land filling, unless balanced by an equal amount of excavation or in limited quantities as part of a landscaping or erosion control project.
3. Channel or floodway blockage
4. Additions or an improvement to or replacement of existing non-conforming structures except as provided in 1 above. Minor improvements may be allowed if they do not contribute to further obstruction of the floodway. For this section, a minor improvement is one that is not more than 50% of the value of the structure (value is Real Market Value as determined by Umatilla County Tax Assessor).
5. Repair or reconstruction of flood-damaged buildings eligible for the FEMA 1362 program to purchase damaged buildings within the designated floodway.

### 2.7.500 Development Standards for the Floodplain Overlay District

The applicable development standards are found in Chapter 3.7 Flood Plain Design Standards. Chapter 3.7 applies to all development within this District.

### 2.7.600 Floodway Sub-District

- A. Purpose/Intent Statement:** The Floodway Sub- District is intended to protect and to prevent the further obstruction of the floodplain areas alongside Stage Gulch Ditch and the Umatilla River. The Floodway is the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water Surface elevation more than one foot. Base Flood means the flood having a one percent chance of being equaled or exceeded in any given year. Also referred to as the “100-year flood.” Regulations in the Floodway Sub-District are also intended to protect and restore water bodies and their associated riparian areas, thereby protecting and restoring the hydrologic, ecologic, and land conservation functions these areas provide.
- B. Location.** The Floodway Sub-District comprises the area designated “floodway” on the Revised Preliminary “Flood Boundary and Floodway Map” issued by the Federal Emergency Management Agency on January 11, 1984, as part of the Flood Insurance Study for the City of Stanfield. This map is Map D in the City’s Comprehensive Plan.
- C. Permitted Uses in the Floodway Sub-District.** The following table lists the permitted uses in the Floodway Sub-District.

|   |  |
|---|--|
| <b>1. Landscaping Uses*:</b> <ul style="list-style-type: none"><li>a. Use of land as landscaped yard areas</li><li>b. Planting of trees, shrubs, and hedges</li><li>c. Fences</li></ul> <b>2. Transportation Facilities and Improvements*</b> <ul style="list-style-type: none"><li>a. Normal operation, maintenance;</li><li>b. Installation of improvements within the existing right-of-way;</li><li>c. Projects identified in the adopted Transportation System Plan not requiring future land use review and approval;</li></ul> | <ul style="list-style-type: none"><li>d. Landscaping as part of a transportation facility;</li><li>e. Emergency Measures;</li><li>f. Street or road construction as part of an approved subdivision or partition;</li><li>g. Transportation projects that are not designated improvements in the Transportation System Plan ** (CU); and</li><li>h. Transportation projects that are not designed and constructed as part of an approved subdivision or partition** (CU)</li></ul> |
|---|--|

Uses marked with an asterisk (\*) are subject to the standards in Chapter 3.7, Flood Plain Design Standards. Temporary uses are subject to the standards in Section 4.9. \*\* Uses marked with 2 asterisks are subject to the standards in Section 4.4.400D. CU= Conditional Use Permit Required

**D. Structures** No structures are allowed to be built within the Floodway Sub-District.

**E. Development Standards.** See Chapter 3.7 Floodplain Design Standards.

## **2.7.700 Riparian Corridor Sub-District**

**A. Purpose/Intent Statement:** The Riparian Corridor Sub-District is intended to protect and to prevent the further obstruction of the riparian areas alongside State Gulch Ditch and the Umatilla River. Regulations in the Riparian Corridor Sub-District are also intended to protect and restore water bodies and their associated riparian corridors, thereby protecting and restoring the hydrologic, ecologic, and land conservation functions that these areas provide. Specifically, they are intended to protect the habitat for fish and other aquatic life, protect habitat for wildlife, protect water quality for human uses, and for aquatic life, control erosion and limit sedimentation, and reduce the effects of flooding. They attempt to meet these goals by excluding structures from buffer areas around fish-bearing lakes, streams, and associated wetlands, and by restricting vegetation removal or other alteration in those buffers. For cases of hardship, this subsection provides a procedure to reduce the riparian buffer. Alteration of the riparian corridor in such cases shall be offset by appropriate restoration or mitigation, as stipulated in this ordinance.

**B. Definition of Riparian Corridors.**

1. Significant Riparian Corridors are defined using the safe harbor process described under OAR 660-023-0090(5).
2. The Comprehensive Plan specifies the Umatilla River and Stage Gulch Ditch as fish-bearing streams.
3. Along Stage Gulch Ditch, the riparian corridor boundary shall be 50 feet from the top of bank, except as identified below.
4. Along the Umatilla River, the riparian corridor boundary shall be 75 feet upland from the top of each bank, except as identified below.
5. For all other wetland areas identified on the Statewide Wetlands Inventory map, the protection area shall be 50 feet from the upland edge of the wetland.
6. Where the riparian corridor includes all or portions of a significant wetland, the standard distance to the riparian corridor boundary shall be measured from and include the upland edge of the wetland.
7. Except around inventoried wetlands, the measurement of distance to the riparian corridor boundary shall be from the top of the bank. The measurement shall be a slope distance. In areas where the top of each bank is not clearly defined, the riparian corridor boundary shall be measured from the ordinary high-water level, or the line of non-aquatic vegetation, whichever is most landward. In areas where the predominant terrain consists of steep cliffs, the distance to the corridor boundary shall be measured as a horizontal distance until the top of the cliff is reached, and as a slope distance from that point.

**C. Activities Within the Riparian Corridor**

1. In some cases, portions of the riparian corridor will extend outside of the floodway area. Nothing in this section shall be construed to allow structures in the floodway or other prohibited activities in the floodway.

2. The permanent alteration of the riparian corridor by grading or by the placement of structures or impervious surfaces is prohibited, except for the following uses provided that the Planning Official finds that they are designed to minimize intrusion into the riparian corridor, and no other options or locations are feasible. Such applications shall be reviewed as a Type III procedure.
  - a. Streets, roads, and paths identified in the City's Capital Improvement Plan
  - b. Drainage facilities, utilities, and irrigation pumps;
  - c. Water-related and water-dependent uses, such as but not limited to drainage facilities, water, and wastewater facilities;
  - d. Replacement of existing structures with structures in the same location that do not disturb additional riparian surface area;
  - e. Structures or other non-conforming alterations existing fully or partially within the riparian corridor may be expanded provided the expansion does not expand the footprint of the structure within the riparian corridor. Substantial improvement of a non-conforming structure in the riparian corridor shall require compliance with the standards of this ordinance.
  - f. Existing lawn within the riparian corridor may be maintained, but not expanded within the riparian corridor. Development activities on the property shall not justify replacement of riparian corridor with lawn.
  - g. Existing shoreline stabilization and flood control structures may be maintained. Any expansion of existing structures or development of new structures shall be evaluated by the City Manager and the appropriate natural resource agency staff. Such alteration of the riparian corridor shall be approved only if less invasive or non-structural methods will not adequately meet the stabilization or flood control needs.
  - h. New fencing may be permitted by the Planning Official, provided that the fencing does not impact fish habitat or site hydrology and the fencing does not create an obstruction that would increase flood velocity or intensity.
3. Removal of riparian vegetation is prohibited, except for:
  - a. Removal of non-native vegetation and replacement with native plant species. The replacement vegetation shall cover, at minimum, the area from which vegetation was removed, and shall maintain or exceed the density of the removed vegetation.
  - b. Removal of vegetation necessary for the development of approved water-related or water-dependent uses. Vegetation removal shall be kept to the minimum necessary to allow the water-dependent or water-related use.
  - c. Trees in danger of falling and thereby posing a hazard to life or property may be removed, following consultation and approval from the Planning Official. If no hazard is created, the Planning Official may require these trees, once felled, to be left in place in the riparian corridor. Any trees removed are required to be replaced by an approved native species. The determination of an approved native species shall be reviewed as a Type II application.
4. Exceptions: The following activities are not required to meet the standards of this section:
  - a. Normal and accepted farming practices other than buildings or structures, occurring on land zoned for exclusive farm use and existing in the riparian corridor since prior to the date of adoption of this ordinance. On-going agricultural practices existing in the riparian corridor since prior to the date of adoption of this ordinance on land not zoned for exclusive farm use are allowed in the riparian corridor subject to the definition and requirements of non-conforming uses.

- b. Drainage way or ditch maintenance practices, other than structures, to maintain flow at original design capacity and mitigate upstream flooding, provided that management practices minimize sedimentation and impact to native vegetation.

**D. Alteration Requiring Mitigation**

1. In some cases, portions of the riparian corridor will extend outside of the floodway area. Nothing in this section shall be construed to allow structures in the floodway or other prohibited activities in the floodway.
2. Permanent alteration of the riparian corridor by placement of structures or impervious surfaces is allowable under the following procedures, subject to the mitigation requirements of this section.
  - a. A setback adjustment as allowed under Section 2.7.700.D.4.
  - b. A variance to the riparian setback approved through procedures of Section 2.7.700.D.5.
  - c. On the Umatilla River, the riparian setback may be reduced as allowed under Section 2.7.720.D.6.
3. Proposals for development activities within the riparian corridor shall be reviewed by the Oregon Department of Fish and Wildlife (ODFW), as per OAR 635-415 Fish and Wildlife Habitat Mitigation Policy. A mitigation recommendation shall be obtained by ODFW. For purposes of implementing Goal 5, the goal is no net loss of protected resources; correspondingly, for purposes of designing appropriate mitigation, sites should be considered at least in "Habitat Category 2" (OAR 635-415-030), which strives for no net loss of habitat values.
4. Setback Adjustment
  - a. Qualifying lots: Lots on which the riparian setback required by this ordinance exceeds any other setbacks in a particular yard, and which, when combined with other required yard setbacks, results in a building area depth of 25 feet or less or a building envelope of 800 square feet or less.
  - b. Setback reduction procedure: Setback reduction shall be the minimum necessary to create a building envelope 25 feet deep or a building envelope of 800 square feet (whichever requires a lesser reduction of the setback). The yard setback opposite the riparian corridor may be reduced up to ½ the standard setback. If this does not create a sufficient building envelope, the riparian setback may be reduced up to ½ the required setback. Additional reductions of setbacks require a variance. Removal of vegetation within the original riparian setback shall be the minimum necessary to allow development of the use and shall otherwise conform with the standards of this ordinance. Applications for setback adjustments shall be reviewed as a Type III procedure.
5. Variance. In cases where the provision for a Setback Adjustment under Section 2.7.700.D.4 are not sufficient, a property owner may request a Variance to the riparian setback.
  - a. Granting of a Variance requires findings that:
    - i. The proposed development requires deviation from the riparian standards; and
    - ii. Strict adherence to the riparian setback and other applicable standards would effectively preclude a use of the parcel that could be reasonably expected to occur in the zone, and that the property owner would be precluded a substantial property right enjoyed by the majority of landowners in the vicinity; and
    - iii. The provision of Section 2.7.700.D.4 are insufficient to remedy the hardship.



- b. Administrative Variances shall be processed as a Type III procedure in accordance with Section 4.1.500 of this Code.
6. Umatilla River Riparian Reduction: On the Umatilla River, structures and impervious surfaces may be placed within the riparian setback as follows:
- a. The removal of vegetation shall be limited to the minimum amount necessary to accommodate the use. Any vegetation removed in excess of this standard shall be non-native species, and the proposal shall specify replacement of that vegetation with native species.
  - b. The applicant shall provide sufficient information regarding the proposed development and potential impacts to riparian resources to allow the Planning Official, in consultation with the ODFW, to determine whether the proposal will provide equal or better protection of riparian resources. The applicant shall demonstrate that equal or better protection for identified resources will be ensured through restoration of riparian corridors, enhanced buffer treatment, or similar measures. Such applications shall be reviewed as a Type III procedure. An application for a Umatilla River Riparian Reduction shall include, but is not necessarily limited to: a plot plan showing the top of the stream or water body bank, the extent of development within the riparian setback, uses that will occur within the riparian setback, potential impacts (for example: chemical runoff, noise, etc.), the extent of vegetation removal proposed, characteristics of the existing vegetation (types, density), any proposed alterations of topography or drainage patterns, existing uses on the property, and any potential impacts they could have on riparian resources.
  - c. In no case shall such alterations occupy more than 50% of the width of the riparian corridor measured from the upland edge of the corridor.