CITY OF KEIZER MISSION STATEMENT

KEEP CITY GOVERNMENT COSTS AND SERVICES TO A MINIMUM BY PROVIDING CITY SERVICES TO THE COMMUNITY IN A COORDINATED, EFFICIENT, AND LEAST COST FASHION

AGENDA

KEIZER CITY COUNCIL

REGULAR SESSION

Monday, October 7, 2019
7:00 p.m.
Robert L. Simon Council Chambers
Keizer, Oregon

1. **CALL TO ORDER**

2. **ROLL CALL**

3. **FLAG SALUTE**

4. **SPECIAL ORDERS OF BUSINESS**

   a. **PROCLAMATION – Domestic Violence Awareness Month**

   b. **PROCLAMATION – Filipino American History Month**

   c. **Presentation to the City of Keizer - OSHA/SHARP Certification**

5. **COMMITTEE REPORTS**

6. **PUBLIC TESTIMONY**

   This time is provided for citizens to address the Council on any matters other than those on the agenda scheduled for public hearing.

7. **PUBLIC HEARINGS**

   a. **Gyro Stop Liquor License – Change of Ownership**

   b. **RESOLUTION – Authorization for Supplemental Budget – Water Facility Fund**

8. **ADMINISTRATIVE ACTION**

   a. **Waiver of Community Center Fee – Keizer Community Band**

   b. **Social Gaming Ordinance**

   c. **Keizer Revitalization Plan**

d. **RESOLUTION – Authorizing the City Manager to Sign Revocable License Agreement with Michael G. Leupitz Regarding Sunset Park**

9. CONSENT CALENDAR

a. **Approval of September 16, 2019 City Council Regular Session Minutes**

10. COUNCIL LIAISON REPORTS

11. OTHER BUSINESS

This time is provided to allow the Mayor, City Council members, or staff an opportunity to bring new or old matters before the Council that are not on tonight's agenda.

12. WRITTEN COMMUNICATIONS

***To inform the Council of significant written communications*.**

13. AGENDA INPUT

October 14, 2019
6:00 p.m. – City Council Work Session
- **Canceled**

October 21, 2019
7:00 p.m. - City Council Regular Session

October 28, 2019
7:00 p.m. – City Council Work Session
- **Emergency Preparedness**

November 4, 2019
7:00 p.m. - City Council Regular Session

14. ADJOURNMENT

The City of Keizer is committed to providing equal access to all public meetings and information per the requirements of the ADA and Oregon Revised Statutes (ORS). The Keizer Civic Center is wheelchair accessible. If you require any service that furthers inclusivity to participate, please contact the Office of the City Recorder at least 48 business hours prior to the meeting by email at davist@keizer.org or phone at (503)390-3700 or (503)856-3412. Most regular City Council meetings are streamed live through the City's website and cable-cast on Comcast Channel 23 within the Keizer City limits. Thank you for your interest in the City of Keizer.

City of Keizer, Oregon

Proclamation

WHEREAS, the impact of domestic violence extends beyond individuals, reaching into families and communities; and

WHEREAS, in the last year Marion County has experienced four domestic violence homicide crimes resulting in the deaths of five victims; and

WHEREAS, the Marion County District Attorney's office received 1,301 law enforcement reports of domestic violence last year, filed 1,043 domestic violence cases, and filed 74 juvenile dependency cases with domestic violence allegations; and

WHEREAS, the Marion County Courts received 1,037 requests for protective orders last year; and

WHEREAS, the Center for Hope and Safety received 30,964 contacts to their program last year, and provided 6,639 nights of shelter; and

WHEREAS, the Marion County Victim Assistance Division provided services to 1,700 victims of domestic violence last year, walking alongside them and giving them a voice in the criminal justice process; and

WHEREAS, we know as individuals, we can make a difference by speaking up and reaching out to help victims and survivors; and

NOW THEREFORE, I, Cathy Clark, Mayor of the City of Keizer, together with the Keizer City Council assembled in Regular Session, do hereby proclaim October 2019 as

"DOMESTIC VIOLENCE AWARENESS MONTH"

And resolve to honor those who have died and acknowledge those who have survived by supporting meaningful services that create safety and hope for survivors in our community.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City of Keizer this 7th day of October, 2019.

_____

MAYOR CATHY CLARK

City of Keizer, Oregon

Proclamation

WHEREAS, October 2019 is the 432nd anniversary of the earliest documented proof of Filipino presence on the shores of the west coast of the continental United States; and

WHEREAS, the citizens of Oregon should be informed of the positive impact Filipino Americans have had on our communities; and

WHEREAS, in Oregon, thousands of Filipino American have made contributions to the fields of teaching, business, government service, agriculture, ministry, medicine and other sciences, humanities and the United States Armed Forces; and

WHEREAS, it is imperative for Filipino American youth to have positive role models and instill in them the importance of education, complemented with the richness of their ethnicity and values of their legacy; and

WHEREAS, efforts must continue to promote the study of Filipino American history and culture, because the role of the Filipino Americans and those of other people have been overlooked in the writing, teaching and learning of United States history; and

WHEREAS, this anniversary is a significant time to study the advancement of Filipino Americans – a time of celebration, remembrance, reflection and motivation – and a relevant time for all of our citizens to learn and appreciate more about Filipino Americans and their historic contributions to our nation and to Oregon.

NOW THEREFORE, I, Cathy Clark, Mayor of the City of Keizer, together with the Keizer City Council assembled in Regular Session, do hereby proclaim October 2019 as

FILIPINO-AMERICAN HISTORY MONTH

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City of Keizer, Oregon to be affixed to this document this 7th day of October, 2019.

Signed: _____

Cathy Clark, Mayor

COUNCIL MEETING: October 7, 2019

AGENDA ITEM NUMBER:_____

TO: **MAYOR CLARK AND CITY COUNCIL MEMBERS**

FROM: **CHRIS EPPLEY**
CITY MANAGER

THROUGH: **MACHELL DEPINA**
HUMAN RESOURCES DIRECTOR

SUBJECT: **PRESENTATION TO THE CITY OF KEIZER**
OSHA/SHARP CERTIFICATION

ISSUE:

The City of Keizer contacted the Oregon Occupational Safety & Health Division (OR-OSHA) in August of 2017 to request consideration for certification as an Oregon Safety and Health Achievement Recognition Program (SHARP) employer. Such certification means Oregon OSHA publicly acknowledges that a model safety and health program exists at the City of Keizer and that safety is an organizational value.

SHARP certification requires comprehensive safety and health workplace assessments, significant involvement of employees and correction of hazards and improvements in our safety and health management systems as needed and a DART (Days Away Restricted or Transferred) rate below the national industry average. This is a 5-year program with annual recertification to verify all SHARP requirements continue to be met. Benefits include employees being able to return to their families safe and healthy at the end of the workday (our ongoing and top priority), increased production due to fewer injuries and illnesses, reduced workers' compensation and other costs, something else we can highlight when recruiting for new employees and exemption from OSHA inspection after the initial year in the program.

The first visit to determine readiness was on September 7, 2017 and a second visit occurred on April 18, 2018. Between and following visits, City staff addressed issues and developed new processes and protocols as needed. The City's Safety Committee, our Union Stewards, Water Division Manager and the Executive Risk Management Team all played a role in keeping the project on course.

As a result of these activities, supportive consultation and recommendation of the participating OSHA consultants, we have received confirmation that the City of Keizer has been approved for 1st year SHARP certification. As such, we are the first and only municipality in the State of Oregon to receive this certification.

Specific recognition is due to the Safety Committee, key additional staff and the Executive Risk Management Team listed below:

Safety Committee

Greg Barber	Police Department – Management Representative
Brad Beverly	Public Works Chair
Dan Collingham	Facilities Maintenance
Machell DePina	Human Resources - Management Representative
Sarah Eisenhut	Police Department - Employee Representative
Tammie Harms	Former City-Wide Chair
Jeff Heyen	Current City-Wide Chair
Kristen Meyers	Human Resources
Trevor Wenning	Police Department Chair

Additional Key Staff

Brandon Buchheit	LIUNA Steward
Kevin DeMarco	Current KPA Steward
Darsy Olafson	Former KPA Steward
Pat Taylor	Water Division Manager

Executive Risk Management Team

Nate Brown	Community Development Director
Tracy Davis	City Recorder/Community Center Manager
Machell DePina	Human Resources Director
Chris Eppley	City Manager
Shannon Johnson	City Attorney
Bill Lawyer	Public Works Director
John Teague	Chief of Police
Tim Wood	Finance Director

At this time, please welcome OSHA Sr. Occupational Safety Consultant Brian K. Annis, Sr. Occupational Health Consultant Jennifer Ekdahl and Consultation Manager Trina Vandehey, who are in attendance to give a short presentation to the City of Keizer.

CITY COUNCIL MEETING: October 7, 2019

AGENDA ITEM NUMBER:

TO: **MAYOR CLARK AND CITY COUNCIL MEMBERS**

THROUGH: **CHRIS C. EPPLEY**
CITY MANAGER

FROM: **TRACY L. DAVIS, MMC**
CITY RECORDER

SUBJECT: **GYRO STOP – LIQUOR LICENSE APPLICATION - CHANGE OF OWNERSHIP**

BACKGROUND:

On September 3, 2019 the City received an application for a change of ownership for the liquor license at Gyro Stop, located 3860 River Road N Suite 101, Keizer, Oregon. The application is for a limited on-premises license. As required by Keizer Ordinance a public hearing was scheduled; notice was published and mailed to all property owners within 200 feet of the establishment. The Keizer Police Department reports a clear background check on the applicant and has no reason to recommend denial of the application. In addition, the Keizer Community Development Department finds the location of the establishment to be properly zoned and has no additional comment on the application.

RECOMMENDATION:

It is recommended the public hearing be opened to allow testimony from the applicants or other interested individuals and upon completion, the hearing be closed. It is further recommended the Council recommend approval of the application for Gyro Stop under the guidelines as established by ORS 471.178 and the Ordinances of the City of Keizer. This recommendation shall then be forwarded to the Oregon Liquor Control Commission for final approval.

OREGON LIQUOR CONTROL COMMISSION

LIQUOR LICENSE APPLICATION

PRINT FORM

RESET FORM

1. Application. **Do not include** any OLCC fees with your application packet (the license fee will be collected at a later time). Application is being made for:

License Applied For:	CITY AND COUNTY USE ONLY
☐ Brewery 1st Location	Date application received:
☐ Brewery 2nd Location	
☐ Brewery 3rd Location	
☐ Brewery-Public House 1st location	Name of City or County:
☐ Brewery-Public House 2nd location	
☐ Brewery-Public House 3rd location	
☐ Distillery	Recommends this license be:
☐ Full On-Premises, Commercial	☐ Granted ☐ Denied
☐ Full On-Premises, Caterer	
☐ Full On-Premises, Passenger Carrier	By:
☐ Full On-Premises, Other Public Location	
☐ Full On-Premises, For Profit Private Club	Date:
☐ Full On-Premises, Nonprofit Private Club	
☐ Grower Sales Privilege 1st location	
☐ Grower Sales Privilege 2nd location	
☐ Grower Sales Privilege 3rd location	**OLCC USE ONLY**
☒ Limited On-Premises	Date application received: 8-13-19
☐ Off-Premises	
☐ Off-Premises with Fuel Pumps	By: Orwick
☐ Warehouse	
☐ Wholesale Malt Beverage & Wine	Date application accepted as initially complete: 8-13-19
☐ Winery 1st Location	
☐ Winery 2nd Location	By: Orwick
☐ Winery 3rd Location	License Action(s): CD

2. Identify the applicant(s) applying for the license(s). ENTITY (example: corporation or LLC) or INDIVIDUAL(S) applying for the license(s):

Gerling SO LLC

(Applicant #1) (Applicant #2)

(Applicant #3) (Applicant #4)

OLCC USE ONLY	OLCC FINANCIAL SERVICES USE ONLY
RECEIVED OREGON LIQUOR CONTROL COMMISSION SALEM REGIONAL OFFICE	

OREGON LIQUOR CONTROL COMMISSION

BUSINESS INFORMATION

Please Print or Type

Applicant Name: Gerling Sa ill Phone: 503-720-8308

Trade Name (dba): Gym Stop

Business Location Address: 3860 River Rd N #101

City: Keizer ZIP Code: 97303

DAYS AND HOURS OF OPERATION

Business Hours:

Sunday	Closed	to	
Monday	11 am	to	8 pm
Tuesday	11 am	to	8 pm
Wednesday	11 am	to	8 pm
Thursday	11 am	to	8 pm
Friday	11 am	to	8 pm
Saturday	11 am	to	4 pm

Outdoor Area Hours:

Sunday	Closed	to	
Monday	11 am	to	8 pm
Tuesday	11 am	to	8 pm
Wednesday	11 am	to	8 pm
Thursday	11 am	to	8 pm
Friday	11 am	to	8 pm
Saturday	11 am	to	8 pm

The outdoor area is used for:

☒ Food service Hours: 11 am to 8 pm

☒ Alcohol service Hours: 11 am to 8 pm

☐ Enclosed, how Fence

The exterior area is adequately viewed and/or supervised by Service Permittees.

_____ (Investigator's Initials)

Seasonal Variations: ☐ Yes ☐ No If yes, explain: _____

ENTERTAINMENT

Check all that apply:

- ☐ Live Music
- ☐ Recorded Music
- ☐ DJ Music
- ☐ Dancing
- ☐ Nude Entertainers
- ☐ Karaoke
- ☐ Coin-operated Games
- ☐ Video Lottery Machines
- ☐ Social Gaming
- ☐ Pool Tables
- ☐ Other: _____

DAYS & HOURS OF LIVE OR DJ MUSIC

Sunday		to	
Monday		to	
Tuesday		to	
Wednesday		to	
Thursday		to	
Friday		to	
Saturday		to	

SEATING COUNT

Restaurant: 37 ✓ Outdoor: 8 ✓

Lounge: _____ Other (explain): _____

Banquet: _____ Total Seating: 45 DK

OLCC USE ONLY

Investigator Verified Seating: ____(Y) ____(N)

Investigator Initials: _____

Date: _____

I understand if my answers are not true and complete, the OLCC may deny my license application.

Applicant Signature: _____ **Date:** May 6, 19

1-800-452-OLCC (6522)

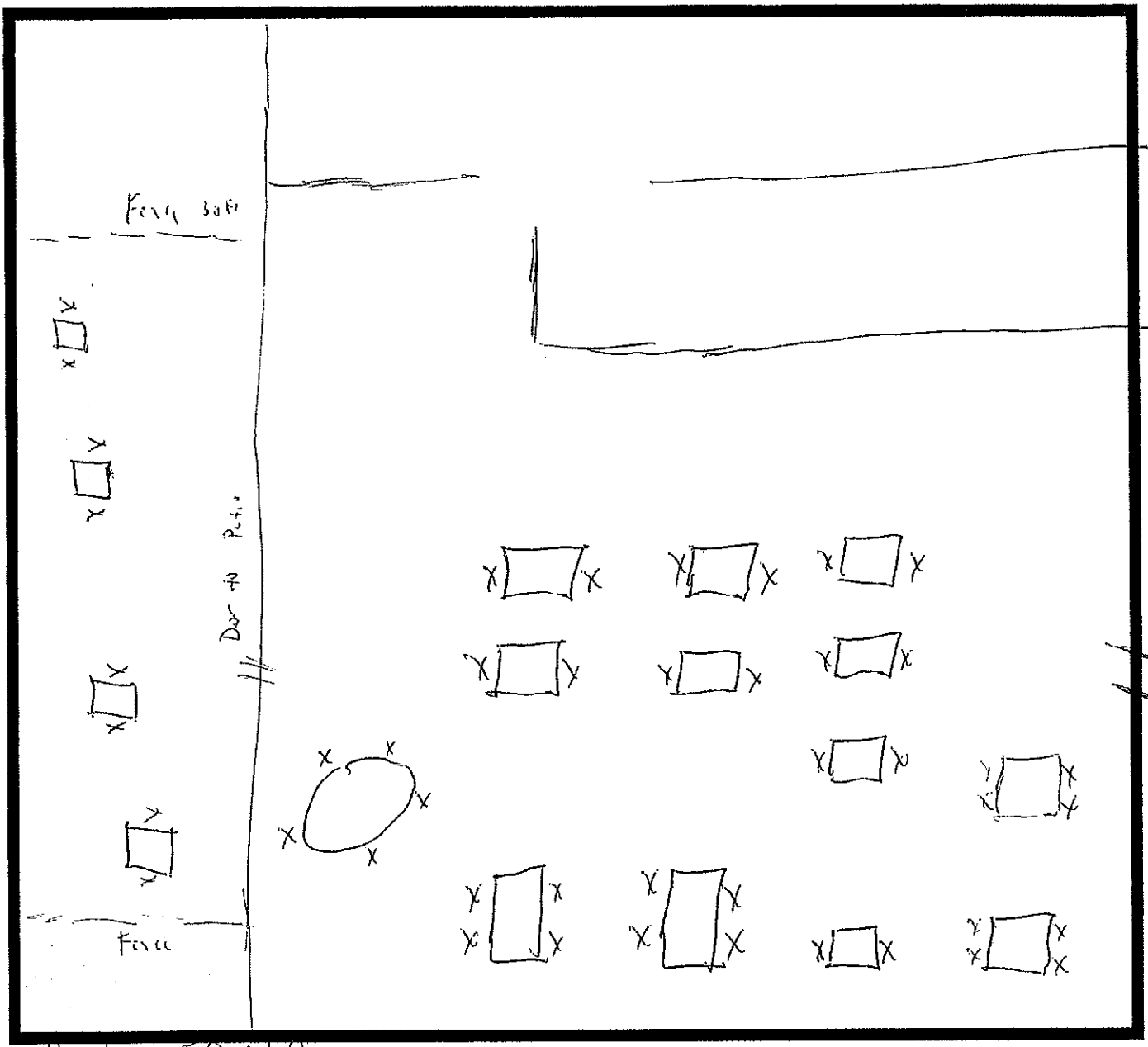
www.oregon.gov/olcc

(rev. 12/07)

OREGON LIQUOR CONTROL COMMISSION

FLOOR PLAN

- **Your floor plan must be submitted on this form.**
- Use a separate Floor Plan Form for each level or floor of the building.
- The floor plan(s) must show the specific areas of your premises (e.g. dining area, bar, lounge, dance floor, video lottery room, kitchen, restrooms, outside patio and sidewalk cafe areas.)
- Include all tables and chairs (see example on back of this form). Include dimensions for each table if you are applying for a Full On-Premises Sales license.



Ceiling 50, LLC
Applicant Name

Gym Shop
Trade Name (dba):

Keizer 97303
City and ZIP Code

.....OLCC USE ONLY.....
MINOR POSTING ASSIGNMENT(S)

Date:_____ Initials:_____

1-800-452-OLCC (6522)
www.oregon.gov/olcc

(rev. 09/12)

COUNCIL MEETING: October 7, 2019

AGENDA ITEM NUMBER: _____

TO: MAYOR CLARK AND COUNCIL MEMBERS

THROUGH: CHRISTOPHER C. EPPLEY, CITY MANAGER

FROM: TIM WOOD, FINANCE DIRECTOR

SUBJECT: AUTHORIZATION FOR SUPPLEMENTAL BUDGET – WATER FACILITY FUND

ISSUE: Oregon Budget Law, when authorized by resolution of the governing body of a municipal corporation, provides that a supplemental budget may be adopted when an occurrence or condition which had not been ascertained at the time of the preparation of a budget for the current year which requires a change in financial plan.

Water Facility Fund

The supplemental budget is to recognize and appropriate $75,000 in working capital carryforward in Fiscal Year 2019-20 associated with capital outlay projects in the Water Facility Fund related to the McNary Pump Station that were not completed at the end of Fiscal Year 2018-19.

The supplemental budget does not have an impact on ending fund Balance for Fiscal Year 2019-20, it is just a transfer of appropriations from one fiscal year to the next.

RECOMMENDATION: Staff recommends the council open the public hearing and receive any public testimony. Once the public hearing is closed the council should adopt the attached resolution authorizing the supplemental budget as described above.

CITY COUNCIL, CITY OF KEIZER, STATE OF OREGON

Resolution R2019-_____

AUTHORIZATION FOR SUPPLEMENTAL BUDGET - Water Facility fund

WHEREAS ORS 294 provides that a supplemental budget may be adopted when an occurrence or condition which had not been ascertained at the time of the preparation of a budget for the current year which requires a change in financial planning.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Keizer, that the following appropriations be made for fiscal year ending June 30, 2020:

	Adopted/ Amended Budget	Adjustment Increase	Adjustment Decrease	Revised Budget
Water Facility Fund				
Resources - Working Capital Carryfoward	303,500	75,000		378,500
Expenditures - Capital Outlay	450,000	75,000		525,000

To recognize and appropriate in Fiscal Year 2019-20, $75,000 in Capital Outlay projects not completed during the 2018-19 Fiscal Year.

BE IT FURTHER RESOLVED that this resolution shall take effect immediately upon the date of its passage.

PASSED this ____ day of _____, 2019

SIGNED this ____ day of _____, 2019

_____
Mayor

_____
City Recorder

COUNCIL MEETING: October 7, 2019

AGENDA ITEM NUMBER: _____

TO: **MAYOR CLARK AND CITY COUNCIL MEMBERS**

FROM: **CHRIS EPPLEY**
CITY MANAGER

THROUGH: **TRACY L. DAVIS, MMC**
CITY RECORDER/COMMUNITY CENTER MANAGER

SUBJECT: **WAIVER OF COMMUNITY CENTER RENTAL FEE – THE KEIZER COMMUNITY BAND**

BACKGROUND:

The Keizer Community Band was formed in 1998 at the request of former City of Keizer Mayor Bob Newton. Mayor Newton wanted a band that would represent the community and furnish music for community functions as well as music for entertainment. At the request of Mayor Newton, former Salem Public Schools Band Director Roy Shelton recruited community members to form a band and to achieve Mayor Newton's goal. Director Shelton conducted the band until his retirement in 2003. Michael Koenig, a former student of Director Shelton, took over conducting the band. The band is active in the area, playing for numerous fundraising events and occasions such as the Iris Festival.

The Keizer Community Band has requested space in the Community Center on Wednesday, November 6, 2019 for a "Salute to Veterans and America" concert. The concert will be free to the public. Iris B will accommodate the concert. The rental rates for the Keizer Community Center Iris B listed below include a 25% discount for Keizer Citizens or any Keizer Based 501(c)(3) organization. The Keizer Community Band qualifies for this discount.

Keizer Community Band Concert

The rental rate for the Iris Room A for 2 hours (6:30 p.m. to 8:30 p.m.) would be as follows:

- Room Rental – $150 ($75 per hour including staffing, with the 25% discount)
- Event Staff – included in the rental rate above, however if rental rate waived, event staff would cost the City approximately $80 (room set, event coverage, and clean/reset of room)
- Security/Cleaning Deposit (Refundable) - $750

Options for Council Consideration for the Keizer Community Band Concert:

1. Grant the request for a complete rental fee waiver (room rental, security/cleaning deposit, and costs for event staff).
2. Deny the request for a complete rental fee waiver. (room rental, security/cleaning deposit, and costs for event staff).

3. Waive the security/cleaning deposit, but charge the room rental fee of $150.
4. Waive the security/cleaning deposit and the room rental fee but charge $80 for the cost of event staff.

The City Council does not have the ability to waive the requirement for a certificate of general liability insurance.

RECOMMENDATION:

Staff recommends the City Council discuss the request, consider the options presented, and then direct staff accordingly.

CITY COUNCIL MEETING: October 7, 2019

AGENDA ITEM NUMBER:_____

TO: **MAYOR CLARK AND COUNCIL MEMBERS**

THROUGH: **CHRISTOPHER C. EPPLEY, CITY MANAGER**

FROM: **E. SHANNON JOHNSON, CITY ATTORNEY**

SUBJECT: **SOCIAL GAMING ORDINANCE**

In August 2019, Mr. Greig Olson contacted the City regarding social gaming. Mr. Olson wants to have a social gaming club in the City. Mr. Olson indicated that he has owned and operated Elmer's and has had games there, he has lottery machines, he has owned delis in the past, and that he has run poker games in a home. Mr. Olson would like the Council to amend the Social Gaming Ordinance and presented the attached documents for Council's consideration. Mr. Olson plans on attending tonight's meeting.

By way of background, prior to the adoption of Ordinance 2004-497 (Allowance for Certain Social Games Pursuant to ORS 167.121; and Declaring an Emergency) on April 19, 2004, the City had been approached many times on the issue and always declined to adopt a social gaming ordinance.

The Keizer Eagles Club and the Keizer Elks requested that the City Council enact an Ordinance allowing social gaming for not-for-profit clubs and charitable organizations within Keizer at the March 1, 2004 City Council meeting. A public hearing on the matter was heard on April 5, 2004 and Council directed staff to prepare the Ordinance adopted on April 19, 2004. I have attached a copy of the adopted Ordinance for your convenience.

In June of 2008, the City was approached regarding changing the Ordinance to allow Texas Hold'em Poker. Council requested a formal written proposal which was not received. In January 2010, Salem Poker Stars made a request to the Council to change the Ordinance to allow charging an entry fee. In October 2010, "Aces Up" Poker Club inquired about the social gaming Ordinance and Council directed staff to bring it back at a future meeting. The legal department performed an in depth review of the state law and an Attorney General Opinion in this regard and Council determined that they did not want to revisit the Ordinance. Additional requests were received in May of 2011, November 2012, and May 2014 and were informed that there was not enough interest to revisit the matter.

Recently (July 2019), the City was again approached regarding the matter to determine if a business was allowed to have social gaming. The interested party was informed that the City's Ordinance only allows social gaming "within private homes or the primary facilities of charitable, fraternal, and religious organization…" and that there is no allowance for social gaming at places of business, such as a restaurant.

Currently, only non-profit, fraternal-type organizations are allowed under Keizer's Social Gaming Ordinance. Though Keizer could change its Ordinance as requested and other cities have done so, it may be possible that the type of operation that is proposed may still be unlawful under state statute. If the Council chooses to move forward with revising the Ordinance, we will have an "out" clause in which we indicate that nothing contained in the Ordinance will allow violation of state law. I will need to look into this and other issues if Council determines that it wants to consider this matter.

RECOMMENDATION:

Review the matter and direct staff on how to proceed.

Please contact me if you have any questions. Thank you.

ESJ/tmh

Current Poker Clubs in Oregon

Portland Area

- All in Poker Society
- Claudia's
- Final Table
- Portland Meadows
- Rialto
- The Game
- Tic Tac

Bend

- Bend Poker Room

Eugene

- Beach Club
- Full House
- High Mountain
- Poker Lounge

Corvallis

- MVP

Albany

- Black Diamond

Current Gambling in Keizer

- Video Poker in Keizer (21 Retailers)
  - Gross Sales ending August 31 ($6,549,238)
- Traditional Lottery Products in Keizer (29)
  - Traditional Lottery Product Sales ($1.789 million)
- Video Poker in Salem (120) $40,006,025

- Black Diamond (28 Miles)
- The Game (37 Miles)
- Portland Meadows (49 Miles)

Social Gaming Popularity

2019 World Series of Poker

The Big 50

Event #003 of 90 Bracelet events, recorded the largest single event in history with 28,371 entries.

There are over 1,166 Casinos in the US

Oregon currently has 9 Casinos

Bingo Halls

Off Track Betting

Oregon Lottery

Televised Poker Shows -26

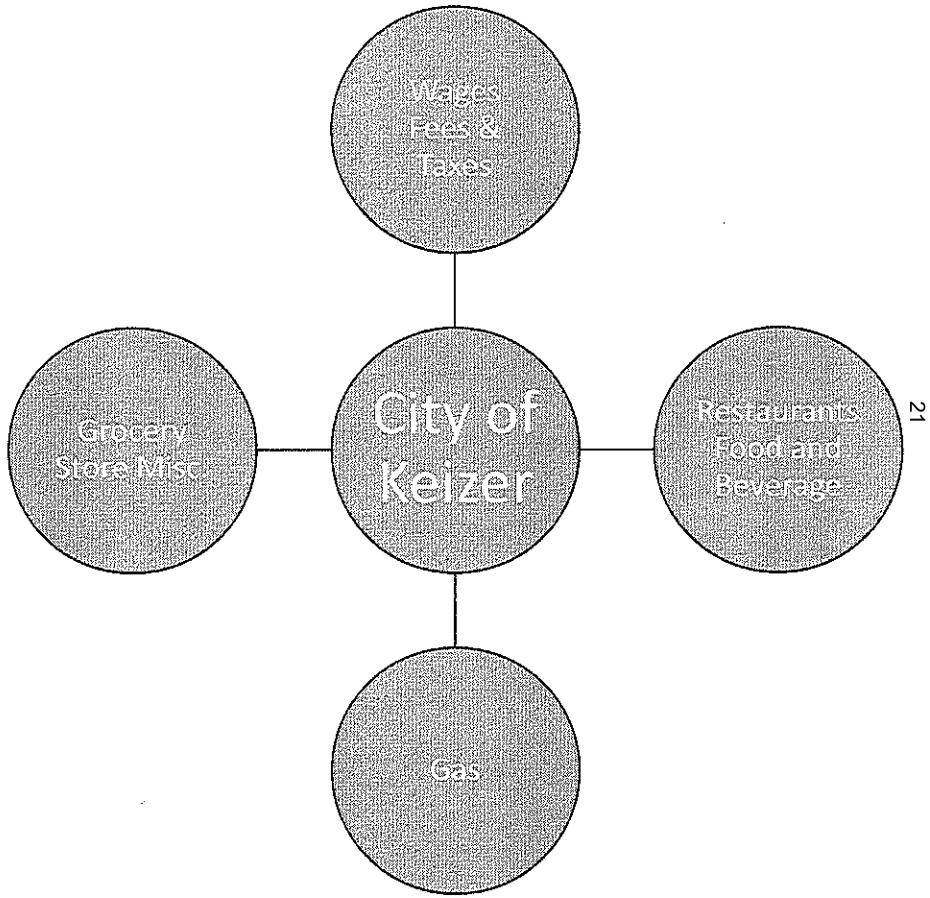
- World Series of Poker (WSOP)
- World Poker Tour (WPT)
- European Poker Tour (EPT)
- Poker After Dark
- Heartland Poker Tour
- High Stakes Poker
- North American Poker Tour
- Ultimate Poker Challenge
- Poker Super Stars
- Poker Night in America
- Professional Poker Tour
- Poker Dome Challenge
- Pro Am Poker Equalizer
- National Heads Up Challenge
- Poker Millions
- E-Hollywood Hold'em
- Celebrity Poker Showdown
- British Poker Open
- PartyPoker.Com Legands Cup
- PokerStars.Net Million Dollar Challenge
- PokerStars.Net Big Game
- 2Months 2 Million
- Poker Royale
- Poker Nations Cup
- I Bet You
- Tilt

Economic Impact

The traffic generated from any new business will always add to the economic growth of the community, and a Poker Club is no exception.

We estimate 25 to 100 players per day that will potentially be spending their money within the local area.

I believe a Poker Room in Keizer will only add to the bottom line of the community.



Our Ideas for a Poker Club

- Open to 18 and Older
- No Alcohol sold on premise
- Hours of operation 9am – 3am
- Social Club - Door Fee Only
- Posted House Rules
- NO RAKE

City of Keizer

A Potential Ordinance for
Social Gaming
By
Greig Olson

It's my hope to present to the City of Keizer with as complete a template as possible with regards to creating a legal, stable, and healthy platform that allows "Social Gaming."

There is clearly no denying the popularity and social acceptance of Texas Hold'em. It has exploded from obscure backroom card game to a globally televised event, complete with billions of dollars and its own version of "rock stars", or "super athletes." Poker players today are competing for the largest monetary prize pools in sports history.

In order for there to be a successful partnership between the City of Keizer, and a potential operator of a social gaming facility, we believe the following points of interest should be considered for review.

The cornerstone of a legal social gaming ordinance starts when will recognize the difference between;

1. Social Gaming; and Texas Hold'em as a game of skill and not;
2. Gambling as a game of chance as defined by ORS 167.117 Definitions for ORS 167.108 to 167.164 and 464.270 to 464.530. Below is an excerpt from the City of Eugene's;

ADMINISTRATIVE ORDERNO 56.06.04 F
of the City Manager

AMENDMENT OF SOCIAL GAMING RULES AND REPEAL OF
ADMINISTRATIVE ORDERNO 53 85 09

The City Manager finds that,

Comments Regarding Poker as Gambling Versus Poker as a Game of Skill. Several comments seek to illustrate the difference between gaming and gambling and wish the City to affirm that poker is gaming rather than gambling.

Findings Under state statutes a game of poker is considered unlawful gambling unless otherwise authorized by law See ORS 167.117 through 167.167 This administrative rule incorporates the state law definition of social gaming. A game of poker conducted in accordance with state law the Eugene City Code and this administrative rule is a social game and is therefore not unlawful gambling. Although the Eugene Code refers to social gambling rather than social gaming in all other particulars the Code provisions follow the definition of social gaming in the Oregon Revised Statutes In order to clarify this administrative rule I have added a provision explaining that social games are governed by ORS 167.117 through 167.167 Eugene Code provisions including but not limited to
3.870 Thru 3.876 and this administrative rule

1. It's my hope that the City of Keizer views and adopts the policy that; a private business, private club or place of public accommodation at which social gaming takes place may charge patrons a membership fee for the privilege of accessing and using the facilities of the private business, private club or place of public accommodation and that the duration of such memberships shall not be less than 1 calendar day; and with the option for a the consumer to purchase, weekly, monthly, and yearly membership.
2. Notwithstanding; a private business private club or place of public accommodation at which social games are played and which charges a membership fee must offer patrons' activities other than social gaming and under no circumstances may a private business private club or place of public accommodation charge patrons a membership fee for the sole privilege of participating in a social game.
3. Since eighteen (18) is the age of majority for every right and responsibility except the consumption of alcohol. So long as alcohol is not sold or served on the premises of a social gaming establishment in contravention of other laws adults eighteen 18 years of age and older may participate in social gaming.

Potential Rules to be adopted by the City of Keizer as applicable to all; "Social Games."

1. Social games may be played between 7:00 am and 2:30 am seven days a week when social games are played on the premises of a private business private club or place of public accommodation social games shall only be played during normal operating hours.
2. There shall be no fee paid to or collected by the house, other than the door fee for a social game or organizer owner of a social gaming premises or any other person, for the privilege of participating in a social game, including, but not limited to, a fee to defray the cost of providing the social game equipment or the premises upon which the social game is conducted.
3. The deal shall rotate among and between players each hand unless all players agree to rotate the deal less frequently, or all players agree to the use of house or permanent dealer(s). We believe the use of permanent dealer(s) decreased players concerns about cheating and provided for a more relaxed and friendly atmosphere in social gaming facilities. We also agree that a skilled permanent dealer can enhance the social gaming experience.

(a) However under state law a dealer cannot play in a social game state statutes provide that a social game is a game between players ORS 167.117(21) A dealer is not a player; Therefore if a dealer plays a hand or places bets the game is no longer between players and is no longer a social game; instead it has become illegal gambling.

If a dealer merely facilitates a social game by passing out playing cards to the players and neither plays a hand nor places bets the game between players only players are actually playing in game and is therefore a social game and not illegal gambling

4. There shall be no more than one game per table. The number of players table shall not exceed ten 10 per table.

5. Social games shall be played in accordance with the rules set forth in Hoyle s Modern Encyclopedia of Card Games (Dolphin Handbook No. C512) However, the rules of a social game may deviate from those set forth in Hoyle s Modern Encyclopedia of Card Games if

5.1 Such deviations are posted on the social gaming premises in conspicuous location

5.2 All players of a social game agree to the posted rules and

5.3 The social game does not with such modifications violate federal state or local law

6. Copies of Hoyle Encyclopedia Games be maintained on the social and gaming premises shall be subject to inspection by any player upon request

7. Problem gambling information and help lines shall be conspicuously displayed in the room or enclosure where the social game takes place and shall be available to any player upon request.

8. Dealers may accept gratuities or tips voluntarily offered by players but in no event shall dealers share gratuities or tips with the owner of social gaming premises, and or the organizer of a social game. For the purposes of this section voluntarily means not owner required or suggested by the operator of a social gaming premises or by any rule.

10. A specific license and/or registration for the purpose of social gaming may be required by the city.

Tournament Style Social Games

1. Tournament style social games are permitted; unless expressly made inapplicable under this rule the rules governing tournament style social games are in addition to the rules applicable to all social games.

2. Tournament rules shall be consistent with the provisions of this section, and shall be conspicuously posted on the social gaming premises.

3. Buy-ins:

3.1 All players must buy-in for the same exact amount of money

3.4 Upon buying-in each player shall be provided exactly the amount of their "buy-in" in game currency (i.e.) poker type chips) and

3.5 No portion of the buy-in shall be paid to or retained by the house organizer of a social game or owner of social gaming premises.

4. All buy-ins must be returned to players pursuant to terms agreed upon before the tournament begins. Therefore, neither the owner of a social gaming premises nor the social game organizer shall take any part of the buy-in as profit or reimbursement of expenses.

5. No other winnings or compensation to the players is permitted other than the buy-in. Unless added to the prize pool by a person, player or organization donating a prize(s) at no additional cost to the player.

6. The city will allow "Poker Tournaments" to be run as fund raiser for the local community and for other meaningful purposes; so long as the division of the prize pool and the money being raised are expressly and clearly posted for said event. Example might be $100 buy in 25% of prize pool goes to the "cause" and the rest is divided up between 1st-2nd-3rd ect…

Definitions: For purposes of these rules the following words and phrases mean;

Blind: A forced bet that must be placed into the pot by one or more players before cards are dealt
Button: A plastic disk or some other object used to indicate which player has the deal. The button moves to the player immediately clockwise of the player who had the previous deal once that deal ends.
Deal: The designation of a certain player by the use of a button or other object for purposes of the order of card distribution among the players and the order of the opportunity for placement of wagers among the players in a card game. The deal does not rest with the dealer.
Dealer: An individual who distributes playing cards to players in accordance with the rules of the particular card game but neither places wagers nor plays in the game. A dealer is not a player.
Owner of a social gaming premises: Any person business entity organization or association including their employees and agents that owns property or leases, rents and or occupies property that is owned by another and the property is used for social gaming.
Player: Any person who plays a social game.
Social Game Has the meaning provided in ORS 167.117(21) Activities relating to social gaming are governed by ORS 167.117 through 167.167. The term "social gambling" as used in the Woodburn Code has the same meaning as the term social gaming as used in this rule and in the Oregon Revised Statutes.
Social Game organizer and organizer of a social game. Any person business entity organization or association including their employees and agents that organizes or allows a social game to be played on its premises or on the premises of any other person business entity or any type of organization or association.
Social Gaming premises. Any place where a social game is played.

Tournament style social game. A social game where each tournament player pays a buy-in and where tournament winners split up the buy-in fee as the winnings pursuant to terms agreed upon before the tournament begins.

Wager. Any opportunity to bet including a blind an ante an initial bet or a raise.

Below are just some of the gaming regulations around the state that we have reviewed to help put together a more complete and functional proposal.

Bend, Or	Section 5.040 of the Bend Code related to Social Gaming and Gambling
Eugene, Or	Administrative Order # 53-85-09
Jefferson, Or	Ordinance # 653
Keizer, Or	Ordinance # 2004-497
Multnomah County	Title 14 Chapter 14A.70 Gambling, Social Games and Unlawful Amusement Games or Concessions.
Mt. Angel, Or	Chapter 112.01 thru 112.11 and 112.99
Corvallis, Or	Just opened

Below is the Oregon Revised Statues for Social Gaming and Gambling.

167.117 Definitions for ORS 167.108 to 167.164 and 464.270 to 464.530.

As used in ORS 167.108 to 167.164 and 464.270 to 464.530, unless the context requires otherwise:

(1) "**Bingo or lotto**" means a game, played with cards bearing lines of numbers, in which a player covers or uncovers a number selected from a container, and which is won by a player who is present during the game and who first covers or uncovers the selected numbers in a designated combination, sequence or pattern.

(2) "**Bookmaker**" means a person who unlawfully accepts a bet from a member of the public upon the outcome of a future contingent event and who charges or accepts a percentage, fee or vigorish on the wager.

(3) "**Bookmaking**" means promoting gambling by unlawfully accepting bets from members of the public as a business, rather than in a casual or personal fashion, upon the outcomes of future contingent events.

(4) "**Casino game**" means any of the traditional gambling-based games commonly known as dice, faro, monte, roulette, fan-tan, twenty-one, blackjack, Texas hold-'em, seven-and-a-half, big injun, klondike, craps, poker, chuck-a-luck, Chinese chuck-a-luck (dai shu), wheel of fortune, chemin de fer, baccarat, pai gow, beat the banker, panquinqui, red dog, acey-deucey, or any other gambling-based game similar in form or content.

(5)(a) "**Charitable, fraternal or religious organization**" means any person that is:

(A) Organized and existing for charitable, benevolent, eleemosynary, humane, patriotic, religious, philanthropic, recreational, social, educational, civic, fraternal or other nonprofit purposes; and

(B) Exempt from payment of federal income taxes because of its charitable, fraternal or religious purposes.

(b) The fact that contributions to an organization profiting from a contest of chance do not qualify for a charitable deduction for tax purposes or that the organization is not otherwise exempt from payment of federal income taxes

pursuant to the Internal Revenue Code of 1986, as amended, constitutes prima facie evidence that the organization is not a bona fide charitable, fraternal or religious organization.

(6) "**Contest of chance**" means any contest, game, gaming scheme or gaming device in which the outcome depends in a material degree upon an element of chance, notwithstanding that skill of the contestants may also be a factor therein.

(7) "**Gambling**" means that a person stakes or risks something of value upon the outcome of a contest of chance or a future contingent event not under the control or influence of the person, upon an agreement or understanding that the person or someone else will receive something of value in the event of a certain outcome. "**Gambling**" does not include:

(a) Bona fide business transactions valid under the law of contracts for the purchase or sale at a future date of securities or commodities, and agreements to compensate for loss caused by the happening of chance, including but not limited to contracts of indemnity or guaranty and life, health or accident insurance.

(b) Engaging in contests of chance under the following conditions:

(A) The contest is played for some token other than money

(B) An individual contestant may not purchase more than $100 worth of tokens for use in the contest during any 24-hour period

(C) The tokens may be exchanged only for property other than money;

(D) Except when the tokens are exchanged for a beverage or merchandise to be consumed on the premises, the tokens are not redeemable on the premises where the contest is conducted or within 50 miles thereof; and….

(E) Except for charitable, fraternal or religious organizations, no person who conducts the contest as owner, agent or employee profits in any manner from operation of the contest.

(c) Social games.

(d) Bingo, lotto or raffle games or Monte Carlo events operated in compliance with ORS 167.118, by a charitable, fraternal or religious organization licensed pursuant to ORS 167.118, 464.250 to 464.380 and 464.420 to 464.530 to operate such games.

(8) "**Gambling device**" means any device, machine, paraphernalia or equipment that is used or usable in the playing phases of unlawful gambling, whether it consists of gambling between persons or gambling by a person involving the playing of a machine. Lottery tickets, policy slips and other items used in the playing phases of lottery and policy schemes are not gambling devices within this definition. Amusement devices other than gray machines, that do not return to the operator or player thereof anything but free additional games or plays, shall not be considered to be gambling devices.

(9)(a) "**Gray machine**" means any electrical or electro-mechanical device, whether or not it is in working order or some act of manipulation, repair, adjustment or modification is required to render it operational, that:

(A) Awards credits or contains or is readily adaptable to contain, a circuit, meter or switch capable of removing or recording the removal of credits earned by a player, other than removal during the course of continuous play; or

(B) Plays, emulates or simulates a casino game, bingo or keno.

(b) A device is no less a gray machine because, apart from its use or adaptability as such, it may also sell or deliver something of value on the basis other than chance.

(c) "**Gray machine**" does not include:

(A) Any device commonly known as a personal computer, including any device designed and marketed solely for home entertainment, when used privately and not for a fee and not used to facilitate any form of gambling;

(B) Any device operated under the authority of the Oregon State Lottery;

(C) Any device manufactured or serviced but not operated in Oregon by a manufacturer who has been approved under rules adopted by the Oregon State Lottery Commission;

(D) A slot machine; or

(E) Any device authorized by the Oregon State Lottery Commission for:

(i) Display and demonstration purposes only at trade shows; or

(ii) Training and testing purposes by the Department of State Police.

(F) Any device used to operate bingo in compliance with ORS 167.118 by a charitable, fraternal or religious organization licensed to operate bingo pursuant to ORS 167.118, 464.250 to 464.380 and 464.420 to 464.530.

(10) "**Handle**" means the total amount of money and other things of value bet on the bingo, lotto or raffle games, the value of raffle chances sold or the total amount collected from the sale of imitation money during Monte Carlo events.

(11) "**Internet**" means an interactive computer service or system or an information service, system or access software provider that provides or enables computer access by multiple users to a computer server and includes, but is not limited to, an information service, system or access software provider that provides access to a network system commonly known as the Internet, or any comparable system or service and also includes, but is not limited to a World Wide Web page, newsgroup, message board, mailing list or chat area on any interactive computer service or system or other on-line service.

(12) "**Lottery**" or "**policy**" means an unlawful gambling scheme in which:

(a) The players pay or agree to pay something of value for chances, represented and differentiated by numbers or by combinations of numbers or by some other medium, one or more of which chances are to be designated the winning ones; and

(b) The winning chances are to be determined by a drawing or by some other method; and

(c) The holders of the winning chances are to receive something of value.

(13) "**Monte Carlo event**" means a gambling event at which wagers are placed with imitation money upon contests of chance in which players compete against other players or against the house. As used in this subsection, "**imitation money**" includes imitation currency, chips or tokens.

(14) "**Numbers scheme or enterprise**" means a form of lottery in which the winning chances or plays are not determined upon the basis of a drawing or other act on the part of persons conducting or connected with the scheme, but upon the basis of the outcome of a future contingent event otherwise unrelated to the particular scheme.

(15) "**Operating expenses**" means those expenses incurred in the operation of a bingo, lotto or raffle game, including only the following:

(a) Salaries, employee benefits, workers' compensation coverage and state and federal employee taxes;
(b) Security services;
(c) Legal and accounting services;
(d) Supplies and inventory;

(e) Rent, repairs, utilities, water, sewer and garbage;
(f) Insurance;
(g) Equipment;
(h) Printing and promotions;
(i) Postage and shipping;
(j) Janitorial services and supplies; and
(k) Leasehold improvements.

16) "**Player**" means a person who engages in any form of gambling solely as a contestant or bettor, without receiving or becoming entitled to receive any profit there from other than personal gambling winnings, and without otherwise rendering any material assistance to the establishment, conduct or operation of the particular gambling activity. A person who gambles at a social game of chance on equal terms with the other participants therein is a person who does not otherwise render material assistance to the establishment, conduct or operation thereof by performing, without fee or remuneration, acts directed toward the arrangement or facilitation of the game, such as inviting persons to play, permitting the use of premises therefor and supplying cards or other equipment used therein. A person who engages in bookmaking is not a player.

(17) "**Profits from unlawful gambling**" means that a person, acting other than solely as a player, accepts or receives money or other property pursuant to an agreement or understanding with another person whereby the person participates or is to participate in the proceeds of unlawful gambling.

(18) "**Promotes unlawful gambling**" means that a person, acting other than solely as a player, engages in conduct that materially aids any form of unlawful gambling. Conduct of this nature includes, but is not limited to, conduct directed toward the creation or establishment of the particular game, contest, scheme, device or activity involved, toward the acquisition or maintenance of premises, paraphernalia, equipment or apparatus therefore, toward the solicitation or inducement of persons to participate therein, toward the conduct of the playing phases thereof, toward the arrangement of any of its financial or recording phases or toward any other phase of its operation. A person promotes unlawful gambling if, having control or right of control over premises being used with the knowledge of the person for purposes of unlawful gambling, the person permits the unlawful gambling to occur or continue or makes no effort to prevent its occurrence or continuation.

(19) "**Raffle**" means a lottery operated by a charitable, fraternal or religious organization wherein the players pay something of value for chances, represented by numbers or combinations thereof or by some other medium, one or more of which chances are to be designated the winning ones or determined by a drawing and the player holding the winning chance is to receive something of value.

(20)(a) "**Slot machine**" means a gambling device that as a result of the insertion of a coin or other object operates, either completely automatically, or with the aid of some physical act by the player, in such a manner that, depending upon elements of chance, it may eject something of value or otherwise entitle the player to something of value. A device so constructed or readily adaptable or convertible to such use is no less a slot machine because it is not in working order or because some mechanical act of manipulation or repair is required to accomplish its adaptation, conversion or workability. Nor is it any less a slot machine because apart from its use or adaptability as such it may also sell or deliver something of value on the basis other than chance.

(b) "**Slot machine**" does not include any device authorized by the Oregon State Lottery Commission for:

(A) Display and demonstration purposes only at trade shows; or

(B) Training and testing purposes by the Department of State Police.

(21) "**Social game**" means:

(a) A game, other than a lottery, between players in a private home where no house player, house bank or house odds exist and there is no house income from the operation of the social game; and

(b) If authorized pursuant to ORS 167.121, a game, other than a lottery, between players in a private business, private club or place of public accommodation where no house player, house bank or house odds exist and there is no house income from the operation of the social game.

(22) "**Something of value**" means any money or property, any token, object or article exchangeable for money or property, or any form of credit or promise directly or indirectly contemplating transfer of money or property or of any interest therein.

(23) "**Trade show**" means an exhibit of products and services that is:

(a) Not open to the public; and

(b) Of limited duration.

(24) "**Unlawful**" means not specifically authorized by law.

Findings-
The Eugene Code prohibits the owner or any person in charge of a social gaming establishment from accepting any payment fee service or gratuity as consideration for the participation in or for the privilege of participating in social games EC 93 876 A social game is a game between players in a private home or if authorized by a city or county between players in a private business private club or place of public accommodation where no house player house bank or house odds exist and there is no house income from the operation of the social game ORS 167 117 21 emphasis added If the house collects income from the operation of a social game the game is no longer a social game it becomes unlawful gambling The City of Eugene cannot authorize what state law prohibits The house or social game organizer may not charge players for the privilege of playing in a social game therefore the house or social game organizer may not collect a fee of 10% of a tournament buy in and the house must return the entire aggregate buy in amount to players pursuant to terms agreed upon before the tournament begins.

Comments Regarding House or Permanent Dealers Several respondents approved of the use of house or permanent dealers Comments indicated that the use of permanent dealers decreased players concerns about cheating and provided for a more relaxed and friendly atmosphere in social gaming facilities.

Opinion: I agree that a skilled permanent dealer can enhance the social gaming experience However under state law a dealer cannot play in a social game State statutes provide that a social game is a game between players ORS 167.117(21) A dealer is not a player Therefore if a dealer plays a hand or places bets the game is no longer between players and no If however Longer a social game instead it has become illegal gambling a dealer merely facilitates a social game by passing out playing cards to the players and neither plays a hand nor is still places bets the game between players only players are actually playing in game and is therefore a social game and not illegal gambling. In light of the comments I received indicating that the presence of permanent dealers decreases players concerns about cheating and provides for a more relaxed and friendly atmosphere in social gaming facilities I have added a provision to this administrative rule allowing for permanent dealers.

Opinion: In our opinion a corner stone of social gaming is the city's ability to illustrate the difference between gaming and gambling and to bring the current trends and popularity of Texas Hold'em into the economy.

Comments Regarding Poker as Gambling versus Poker as a Game of Skill Several comments seek to illustrate the difference between gaming and gambling and wish the City to
affirm that poker is gaming rather than gambling
Findings Under state statutes a game of poker is considered unlawful gambling unless otherwise authorized by law See ORS 117 through 167 167 This administrative rule 167incorporates the state law definition of social gaming A game of poker conducted in accordance with state law the Eugene City Code and this administrative rule is asocial game and is
therefore, not unlawful gambling Although the Eugene Code refers to social gambling rather than social gaming in all other particulars the Code provisions follow the definition of social gaming in the Oregon Revised Statutes In order to clarify this administrative rule, I have added
a provision explaining that social games are governed by ORS 167 117 through 167 167 Eugene

Opinion: Regarding the number of players allowed per table, should be set at a maximum of ten players.

Opinion: Eighteen (18) is the age of majority for every right and responsibility except the consumption of alcohol. So long as alcohol is not sold or served on the premises of a social gaming establishment in contravention of other laws, adults eighteen (18) years and older should be allowed to play in social gaming.

Potential Rules to be adopted by the City of Keizer, as applicable to All Social Games.

1. Social games may be played between 7:00 am and 2:30 am seven days a week when social games are played on the premises of a private business private club or place of public accommodation social games shall only be played during normal operating hours.

2. There shall be no house bank, house odds, house player, or house income from the operation of social games.

3 There shall be no fee paid to or collected by the house, social game or organizer owner of a social gaming premises any other person for the privilege of social participating in a game including but not limited to a fee to defray the cost of providing the social game equipment the premises upon which the social game is or conducted.

4. The deal shall rotate among and between players each hand unless all players agree to rotate the deal less frequently.

5 There shall be no more than one game per table. The number of players table shall not exceed ten 10 per table.

6 Social games shall be played in accordance with the rules set forth in Hoyle s Modern Encyclopedia of Card Games (Dolphin Handbook No. C512) However, the rules of a social game may deviate from those set forth in Hoyle s Modern Encyclopedia of Card Games if

6.1 Such deviations are posted on the social gaming premises in conspicuous location

6.2 All players of a social game agree to the posted rules and

6.3 The social game does not with such modifications violate federal state or local law

7 Copies of Hoyle Encyclopedia Games be maintained on the social and gaming premises shall be subject to inspection by any player upon request

8. Problem gambling information and help lines shall be conspicuously in the room or enclosure where the social and shall be displayed game takes place available to any player upon request

9. All social game participants shall be at least 18 years of age this provision does not allow a minor access to any business private club or place of public accommodation where alcohol is served in contravention of any other applicable law.

10. No individual wager shall exceed 2.00 in cash or any other thing of value.

11. In no event shall the sum total wagers of any player exceed 200.00 in cash or any other thing of value in any 24-hour period.

12. Dealers may accept gratuities or tips voluntarily offered by players but in no event shall dealers share gratuities or tips with the owner of social gaming premises a or the organizer of a social game For the purposes of this section voluntarily means not owner required or suggested by the or operator of a social gaming premises or by any rule

13. An individual who as a dealer has facilitated any part of a social game played at a particular table may not participate as a player in any part of a social game at that table until the social gaming premises are next open for business.

14. A private business private club or place of public accommodation at which social gaming takes place may charge patrons a membership fee for the privilege of accessing and using the facilities of the private business private club or place of public accommodation the duration of such memberships shall not be less than 1 calendar day.

15. A private business private club or place of public accommodation at which social games are played and which charges a membership fee must offer patrons' activities other than social gaming Under no circumstances may a private business private club or place of public accommodation charge patrons a membership fee for the privilege of participating exclusivly in a social game.

16. A specific license and/or registration for the purpose of social gaming is not required.

<u>Tournament Style Social Games</u>

1. Tournament style social games are permitted; unless expressly made inapplicable under this rule the rules governing tournament style social games are in addition to the rules applicable to all social games.
2. Tournament rules shall be consistent with the provisions of this section, and shall be conspicuously posted on the social gaming premises.

3. Buy-ins:

3.1 All players must buy in for the same exact amount of money
3.2 No individual buys in shall exceed 100.00
3.3 No player may buy in more than twice in any 24-hour period
3.4 Upon buying in each player shall be provided exactly the amount of in game currency (i.e.) poker type chips) and
3.5 No portion of the buy-in shall be paid to or retained by the house organizer of a social game or owner of social gaming premises.

4. All buy-ins must be returned to players pursuant to terms agreed upon before the tournament begins. Therefore, neither the owner of a social gaming premises nor the social game organizer shall take any part of the buy-in as profit or reimbursement of expenses.

5. No other winnings or compensation to the players is permitted other than the buy-in.

Definitions: For purposes of these rules the following words and phrases mean;

Blind: A forced bet that must be placed into the pot by one or more players before cards are dealt

Button: A plastic disk or some other object used to indicate which player has the deal. The button moves to the player immediately clockwise of the player who had the previous deal once that deal ends.

Deal: The designation of a certain player by the use of a button or other object for purposes of the order of card distribution among the players and the order of the opportunity for placement of wagers among the players in a card game. The deal does not rest with the dealer.

Dealer: An individual who distributes playing cards to players in accordance with the rules of the particular card game but neither neither places wagers nor plays in the game. A dealer is not a player.

Owner of a social gaming premises: Any person business entity organization or association including their employees and agents that owns property or leases, rents and or occupies property that is owned by another and the property is used for social gaming.

Player: Any person who plays a social game.

Social Game Has the meaning provided in ORS 167.117(21) Activities relating to social gaming are governed by ORS 167.117 through 167.167. The term "social gambling" as used in the Woodburn Code has the same meaning as the term social gaming as used in this rule and in the Oregon Revised Statutes.

Social Game organizer and organizer of a social game. Any person business entity organization or association including their employees and agents that organizes or allows a social game to be played on its premises or on the premises of any other person business entity or any type of organization or association.

Social Gaming premises. Any place where a social game is played.

Tournament style social game. A social game where each tournament player pays a buy-in and where tournament winners split up the buy-in fee as the winnings pursuant to terms agreed upon before the tournament begins.

Wager. Any opportunity to bet including a blind an ante an initial bet or a raise.

Thank You All for the opportunity to open the discussion about “Social Gaming” and the possibility of Poker Card Rooms within the jurisdiction of the City of Keizer.

I’m always available to answer any questions or concerns, or appear at any City meetings public or private in the future.

Please feel free to contact me anytime.

Please see attached PDF as it is only a snap shot of what happened at the

World Series of Poker in 2019 the prize pool and the number of players for each event.

Greig Olson

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WIKIPEDIA

2019 World Series of Poker

The **2019 World Series of Poker** was the 50th annual tournament, and took place from May 28-July 16 at the Rio All-Suite Hotel & Casino in Las Vegas, Nevada.

2019 World Series of Poker	
Location	Rio All-Suite Hotel and Casino, Las Vegas, Nevada
Dates	May 28-July 16, 2019
Champion	
	Hossein Ensan

There were 90 bracelet events. To celebrate the 50th anniversary of the WSOP there was a $50,000 No Limit Hold'em event as well as the Big 50, a $500 buy-in No Limit Hold'em event with a guaranteed $5 million prize pool and $1 million for the winner. There was also a tournament open only to past WSOP bracelet winners. A short deck tournament was also held for the first time. All No Limit Hold'em events employed the Big Blind Ante format.

The $10,000 No Limit Hold'em Main Event began on July 3 and concluded on July 16. The structure of the Main Event was changed, with players now receiving 60,000 chips at the start of the tournament, up from 50,000 in 2018.[1]

Contents

Event schedule
Player of the Year
Leaders
Main Event
Performance of past champions
Final Table
Final Table results
Records
Notes
References

Event schedule

Source: [2]

	High stakes event ($10,000+ buy-in).
	No points awarded towards *Player of the Year*.
	Online event.

#	Event	Entrants	Winner[39]	Prize	Runner-up	Results
1	$500 Casino Employees No Limit Hold'em	686	Nicholas Haynes	$62,345	Isaac Hanson	Results
2	$10,000 Super Turbo Bounty No Limit Hold'em	204	Brian Green	$345,669	Ali Imsirovic	Results
3	$500 The Big 50 No Limit Hold'em	28,371	Femi Fashakin	$1,147,449	Paul Cullen	Results
4	$1,500 Omaha Hi-Lo 8 or Better	853	Derek McMaster	$228,228	Jason Berilgen	Results
5	$50,000 50th Annual High Roller No Limit Hold'em	110	Ben Heath	$1,484,085	Andrew Lichtenberger	Results
6	$2,500 Mixed Triple Draw Lowball	296	Dan Zack	$160,447	Sumir Mathur	Results
7	$400 WSOP.com Online No Limit Hold'em	2,825	Yong Kwon	$165,263	Gabor Szabo	Results
8	$10,000 Short Deck No Limit Hold'em	114	Alex Epstein	$296,227	Thai Ha	Results
9	$600 No Limit Hold'em Deepstack	6,151	Jeremy Pekarek	$398,281	Dan Kuntzman	Results
10	$1,500 Dealers Choice 6-Handed	470	Scott Clements	$144,957	Tim McDermott	Results
11	$5,000 No Limit Hold'em	400	Daniel Strelitz	$442,385	Shannon Shorr	Results
12	$1,000 Super Turbo Bounty No Limit Hold'em	2,452	Daniel Park	$226,243	Erik Cajelais	Results
13	$1,500 No Limit 2-7 Lowball Draw	296	Yuval Bronshtein	$96,278	Ajay Chabra	Results
14	$1,500 H.O.R.S.E.	751	Murilo Souza	$207,003	Jason Stockfish	Results
15	$10,000 Heads Up No Limit Hold'em Championship	112	Sean Swingruber	$186,356	Ben Yu	Results
16	$1,500 No Limit Hold'em 6-Handed	1,832	Isaac Baron	$407,739	Ong Dingxiang	Results
17	$1,500 No Limit Hold'em Shootout	917	Brett Apter	$238,824	Anatolii Zyrin	Results
18	$10,000 Omaha Hi-Lo 8 or Better Championship	183	Frankie O'Dell	$443,641	Owais Ahmed	Results
19	$1,500 Millionaire Maker No Limit Hold'em	8,809	John Gorsuch	$1,344,930	Kazuki Ikeuchi	Results
20	$1,500 Seven Card Stud	285	Eli Elezra	$93,766	Anthony Zinno	Results
21	$10,000 No Limit 2-7 Lowball Draw Championship	91	Jim Bechtel	$253,817	Vince Musso	Results

#	Event	Entrants	Winner[40]	Prize	Runner-up	Results
22	$1,000 Double Stack No Limit Hold'em	3,253	Jorden Fox	$420,693	Jayachandra Gangaiah	Results
23	$1,500 Eight Game Mix 6-Handed	612	Rami Boukai	$177,294	John Evans	Results
24	$600 WSOP.com Online Pot Limit Omaha 6-Handed	1,216	Josh Pollock	$139,470	Jason Gooch	Results
25	$600 Pot Limit Omaha Deepstack	2,577	Andrew Donabedian	$205,605	Todd Dreyer	Results
26	$2,620 Marathon No Limit Hold'em	1,083	Roman Korenev	$477,401	Jared Koppel	Results
27	$1,500 Seven Card Stud Hi-Lo 8 or Better	460	Michael Mizrachi	$142,801	Robert Gray	Results
28	$1,000 No Limit Hold'em	2,477	Stephen Song	$341,854	Scot Masters	Results
29	$10,000 H.O.R.S.E. Championship	172	Greg Mueller	$425,347	Daniel Ospina	Results
30	$1,000 Pot Limit Omaha	1,526	Luis Zedan	$236,673	Thida Lin	Results
31	$3,000 No Limit Hold'em 6-Handed	754	Thomas Cazayous	$414,766	Nicholas Howard	Results
32	$1,000 Seniors No Limit Hold'em Championship	5,917	Howard Mash	$662,594	Jean-René Fontaine	Results
33	$1,500 Limit 2-7 Lowball Triple Draw	467	Robert Campbell	$144,027	David Bach	Results
34	$1,000 Double Stack No Limit Hold'em	6,214	Joseph Cheong	$687,782	David Ivers	Results
35	$10,000 Dealers Choice 6-Handed Championship	122	Adam Friedman	$312,417	Shaun Deeb	Results
36	$3,000 No Limit Hold'em Shootout	313	David Lambard	$207,193	Johan Guilbert	Results
37	$800 No Limit Hold'em Deepstack	2,808	Robert Mitchell	$297,537	Marco Bognanni	Results
38	$600 WSOP.com Online Knockout Bounty No Limit Hold'em	1,224	Upeshka De Silva	$98,263	David Nodes	Results
39	$1,000 Super Seniors No Limit Hold'em	2,650	Michael Blake	$359,863	Barry Shulman	Results
40	$1,500 Pot Limit Omaha	1,216	Ismael Bojang	$298,507	James Little	Results
41	$10,000 Seven Card Stud Championship	88	John Hennigan	$245,451	Daniel Negreanu	Results

#	Event	Entrants	Winner[41]	Prize	Runner-up	Results
42	$600 8-Handed No Limit Hold'em/Pot Limit Omaha Deepstack	2,403	Aristeidis Moschonas	$194,759	Dan Matsuzuki	Results
43	$2,500 Mixed Big Bet Event	218	Loren Klein	$127,808	Ryan Hughes	Results
44	$1,500 Bounty No Limit Hold'em	1,807	Asi Moshe	$253,933	Damjan Radanov	Results
45	$25,000 High Roller Pot Limit Omaha	278	Stephen Chidwick	$1,618,417	James Chen	Results
46	$500 WSOP.com Online Turbo No Limit Hold'em Deepstack	1,181	Dan Lupo	$145,274	David Clarke	Results
47	$10,000/$1,000 Ladies No Limit Hold'em Championship	968	Jiyoung Kim	$167,308	Nancy Matson	Results
48	$2,500 No Limit Hold'em	996	Ari Engel	$427,399	Pablo Melogno	Results
49	$10,000 Limit 2-7 Lowball Triple Draw Championship	100	Luke Schwartz	$273,336	George Wolff	Results
50	$1,500 Monster Stack No Limit Hold'em	6,035	Kainalu McCue-Unciano	$1,008,850	Vincent Chauve	Results
51	$2,500 Omaha/Seven Card Stud Hi-Lo 8 or Better	401	Yuri Dzivielevski	$213,750	Michael Thompson	Results
52	$10,000 Pot Limit Omaha 8-Handed	518	Dash Dudley	$1,086,967	James Park	Results
53	$800 8-Handed No Limit Hold'em Deepstack	3,759	Santiago Soriano	$371,203	Amir Lehavot	Results
54	$1,500 Razz	363	Kevin Gerhart	$119,054	Sergio Braga	Results
55	$1,000 WSOP.com Online Double Stack No Limit Hold'em	1,333	Jason Gooch	$241,493	Brian Wood	Results
56	$1,500 Super Turbo Bounty No Limit Hold'em	1,867	Jonas Lauck	$260,335	Robert Bickley	Results
57	$1,000 Tag Team No Limit Hold'em	976	Daniel Dayan Ohad Geiger Barak Wisbrod	$168,395	Lawrence Chan Matthew Moreno Jerod Smith	Results
58	$50,000 Poker Players Championship	74	Phil Hui	$1,099,311	Josh Arieh	Results
59	$600 Deepstack Championship No Limit Hold'em	6,140	Joe Foresman	$397,903	Will Givens	Results
60	$1,500 Pot Limit Omaha Hi-Lo 8 or Better	1,117	Anthony Zinno	$279,920	Rodney Burt	Results

#	Event	Entrants	Winner[42]	Prize	Runner-up	Results
61	$400 The Colossus No Limit Hold'em	13,109	Sejin Park	$451,272	Georgios Kapalas	Results
62	$10,000 Razz Championship	116	Scott Seiver	$301,421	Andrey Zhigalov	Results
63	$1,500 Mixed Pot Limit Omaha Hi-Lo/Big O	717	Anatolii Zyrin	$199,838	Yueqi Zhu	Results
64	$888 Crazy Eights No Limit Hold'em	10,185	Rick Alvarado	$888,888	Mark Radoja	Results
65	$10,000 Pot Limit Omaha Hi-Lo 8 or Better Championship	193	Nick Schulman	$463,670	Brian Hastings	Results
66	$1,500 Limit Hold'em	541	David "ODB" Baker	$161,139	Brian Kim	Results
67	$10,000 Seven Card Stud Hi-Lo 8 or Better Championship	151	Robert Campbell	$385,763	Yueqi Zhu	Results
68	$1,000 WSOP.com Online No Limit Hold'em Championship	1,750	Nicholas Baris	$303,739	Tara Cain	Results
69	$1,000 The Mini Main Event No Limit Hold'em	5,521	Jeremy Saderne	$628,654	Lula Taylor	Results
70	$5,000 No Limit Hold'em 6-Handed	815	João Vieira	$758,011	Joe Cada	Results
71	$500 Salute to Warriors No Limit Hold'em	1,723	Susan Faber	$121,161	Rob Stark	Results
72	$10,000 Limit Hold'em Championship	118	Juha Helppi	$306,622	Mike Lancaster	Results
73	$10,000 No Limit Hold'em Main Event	8,569	Hossein Ensan	$10,000,000	Dario Sammartino	Results
74	$3,200 WSOP.com Online No Limit Hold'em High Roller	593	Brandon Adams	$411,561	Nabil Cardoso	Results
75	$1,111 Little One for One Drop No Limit Hold'em	6,248	James Anderson	$690,686	Fernando Karam	Results
76	$800 WSOP.com Online No Limit Hold'em 6-Handed	1,560	Shawn Buchanan	$223,119	David "Bakes" Baker	Results
77	$3,000 Limit Hold'em 6-Handed	193	Stephanie Dao	$133,189	Alain Alinat	Results
90[a]	$50,000 Final Fifty High Roller No Limit Hold'em	123	Danny Tang	$1,608,406	Sam Soverel	Results
78	$1,500 Bounty Pot Limit Omaha	1,130	Maximilian Klostermeier	$177,823	David Callaghan	Results
79	$3,000 No Limit Hold'em	671	Ivan Deyra	$380,090	David Gonzalez	Results

#	Event	Entrants	Winner	Prize	Runner-up	Results
80	$1,500 Mixed No Limit Hold'em/Pot Limit Omaha	1,250	Jerry Odeen	$304,793	Peter Linton	Results
81	$1,500 50th Annual Bracelet Winners Only No Limit Hold'em	185	Shankar Pillai	$71,580	Michael Gagliano	Results
82	$1,500 Double Stack No Limit Hold'em	2,589	Tom Koral	$530,164	Freek Scholten	Results
83	$100,000 High Roller No Limit Hold'em	99	Keith Tilston	$2,792,406	Daniel Negreanu	Results
84	$1,500 The Closer No Limit Hold'em	2,800	Abhinav Iyer	$565,346	Sammy Lafleur	Results
85	$3,000 Pot Limit Omaha 6-Handed	835	Alan Sternberg	$448,392	Evangelos Kokkalis	Results
86	$10,000 No Limit Hold'em 6-Handed Championship	272	Anuj Agarwal	$630,747	Kahle Burns	Results
87	$3,000 H.O.R.S.E.	301	Denis Strebkov	$206,173	Paul Tedeschi	Results
88	$500 WSOP.com Online Summer Saver No Limit Hold'em	1,859	Taylor Paur	$149,241	Francois Evard	Results
89	$5,000 No Limit Hold'em	608	Carl Shaw	$606,562	Tony Dunst	Results

Player of the Year

Standings[3]

Rank	Name	Points
1	Robert Campbell	3,418.78
2	Shaun Deeb	3,280.13
3	Daniel Negreanu	3,166.24
4	Dan Zack	3,126.13
5	Phil Hui	2,881.67

Leaders

Cashes

Rank	Name	Cashes
1	Chris Ferguson	19
T2	Marcelo Giordano Mendes	18
	Jake Schwartz	
	Steven Wolansky	
T5	Shaun Deeb	17
	Daniel Negreanu	
T7	Jon Turner	16
	Yueqi Zhu	
T9	Scott Bohlman	15
	Ismael Bojang	
	Noah Bronstein	

Final Tables

Rank	Name	Final Tables
T1	Robert Campbell	4
	Shaun Deeb	
	Daniel Negreanu	
T4	Brandon Adams	3
	Josh Arieh	
	David "Bakes" Baker	
	Scott Clements	
	Chris Ferguson	
	Phil Hui	
	Ali Imsirovic	
	Cary Katz	
	Joseph Liberta	
	Dario Sammartino	
	Nick Schulman	
	Denis Strebkov	
	Benjamin Underwood	
	Bryce Yockey	
	Dan Zack	
	Yueqi Zhu	
	Anthony Zinno	

Main Event

The $10,000 No Limit Hold'em Main Event began on July 3 with the first of three starting flights. The final table of 9 was reached on July 12, with the finalists returning on July 14 before a winner was determined on July 16.

The Main Event attracted 8,569 players, the second-largest field in history after 2006. The winner earned $10,000,000, with 1,286 players finishing in the money. There was a mixup at the money bubble, with Ryan Pochedly originally being credited with bursting the bubble. Several days later, however, it was determined that one elimination had not been taken into account, and Pochedly had actually finished in 1,286th place, therefore making the money.[4]

Three past champions made the money, including Chris Moneymaker who cashed in the Main Event for the first time since winning in 2003. Moneymaker, along with David Oppenheim, was announced as the newest inductees into the Poker Hall of Fame during the final table.[5]

Performance of past champions

45

Name	Championship Year(s)	Day of Elimination
Johnny Chan	1987, 1988	4 (560th)*
Phil Hellmuth	1989	2C
Jim Bechtel	1993	3
Scotty Nguyen	1998	3
Chris Ferguson	2000	2AB
Robert Varkonyi	2002	2C
Chris Moneymaker	2003	4 (687th)*
Greg Raymer	2004	2AB
Joe Hachem	2005	3
Jamie Gold	2006	1C
Jerry Yang	2007	2C
Joe Cada	2009	1C
Greg Merson	2012	2AB
Ryan Riess	2013	2AB
Martin Jacobson	2014	1C
Joe McKeehen	2015	2C
Qui Nguyen	2016	4 (455th)*
Scott Blumstein	2017	2C
John Cynn	2018	3

*-Indicates player who finished in the money

Final Table

Name	Number of chips (percentage of total)	WSOP Bracelets	WSOP Cashes*	WSOP Earnings*
Hossein Ensan	177,000,000 (34.4%)	0	1	$3,276
Garry Gates	99,300,000 (19.3%)	0	11	$156,728
Zhen Cai	60,600,000 (11.8%)	0	15	$101,151
Kevin Maahs	43,000,000 (8.4%)	0	0	0
Alex Livingston	37,800,000 (7.3%)	0	16	$629,241
Dario Sammartino	33,400,000 (6.5%)	0	38	$3,446,537
Milos Skrbic	23,400,000 (4.5%)	0	5	$313,598
Timothy Su	20,200,000 (3.9%)	0	1	$927
Nick Marchington	20,100,000 (3.9%)	0	1	$12,415

*-Career statistics prior to the 2019 Main Event

Final Table results

Place	Name	Prize
1st	Hossein Ensan	$10,000,000
2nd	Dario Sammartino	$6,000,000
3rd	Alex Livingston	$4,000,000
4th	Garry Gates	$3,000,000
5th	Kevin Maahs	$2,200,000
6th	Zhen Cai	$1,850,000
7th	Nick Marchington	$1,525,000
8th	Timothy Su	$1,250,000
9th	Milos Skrbic	$1,000,000

Records

- Event #3: $500 Big 50 No Limit Hold'em became the largest live poker tournament in history with 28,371 entrants, surpassing the previous record of 22,374 held by the Colossus in 2015.[6]
- Jim Bechtel, the 1993 Main Event champion, won Event #21: $10,000 No Limit 2-7 Lowball Draw for his first bracelet since his Main Event win. The 26 years between bracelet wins is the longest in WSOP history.[7]
- Loren Klein won Event #43: $2,500 Mixed Big Bet, becoming the first player since Doyle Brunson from 1976-79 and just the third overall to win bracelets in four straight years.[8]

Notes

a. Late addition to the schedule

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BILL NO. 476 A BILL ORDINANCE NO. 2004-497

FOR

AN ORDINANCE

ALLOWANCE FOR CERTAIN SOCIAL GAMES PURSUANT TO ORS 167.121; AND DECLARING AN EMERGENCY

The City of Keizer ordains as follows:

Section 1. PURPOSE. The purpose of this Ordinance is to allow limited social gaming as provided in ORS 167.121. Such statute allows counties and cities, by ordinance, to authorize the playing or conducting of a social game.

Section 2. LIMITED SOCIAL GAMING. Social games as defined in ORS 167.117 are hereby authorized with the following restrictions:

a. The social game can only be engaged in within private homes, or the primary facilities of charitable, fraternal, and religious organizations; AND

b. No house player, house bank, or house odds may exist; AND

c. There can be no house income from the operation of the social game.

///

///

///

Lien & Johnson
Attorneys at Law
4855 River Road N
Keizer, Oregon 97303
(503) 390-1635

Section 3. EFFECTIVE DATE. This Ordinance being necessary for the immediate preservation of the public health, safety and welfare, an emergency is declared to exist and this Ordinance shall take effect immediately upon its passage.

PASSED this 19th day of April, 2004.

SIGNED this 19th day of April, 2004.

Mayor

City Recorder

Lien & Johnson
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4855 River Road N
Keizer, Oregon 97303
(503) 390-1635

COUNCIL MEETING: October 7, 2019
AGENDA ITEM NUMBER: _____

TO: **MAYOR CLARK AND CITY COUNCIL MEMBERS**

THROUGH: **CHRIS EPPLEY, CITY MANAGER**
NATE BROWN, COMMUNITY DEVELOPMENT DIRECTOR

FROM: **SHANE WITHAM, SENIOR PLANNER**

SUBJECT: Proposed adoption of the Keizer Revitalization Plan – including Comprehensive Plan/Map, Zoning Map, and Keizer Development Code amendments to implement the Plan

ATTACHMENTS:

- Draft Keizer Revitalization Plan
- Draft Keizer Development Code (KDC) sections:
  - KDC Section 2.130 River Cherry Overlay District RCOD)
  - KDC Sections 1.103, 1.200, 2.102, 2.104, 2.107, 2.315, 3.101 to align changes in RCOD
- Draft Comprehensive Plan text changes

BACKGROUND:

At the September 16, 2019 City Council meeting, a public hearing was held to consider adoption of the Keizer Revitalization Plan, (Plan) along with implementing development code and comprehensive plan amendments. Testimony was received regarding multiple aspects of the plan. Ultimately, Council closed the public hearing and left the record open until September 30, 2019 for any additional testimony to be provided. In addition, Council directed staff to modify the Plan to address the following issues/concerns:

- The appendices have been clarified in various sections of the Plan as to their role as background information in the implementation of the Plan. While they are part of the Plan, strictly as background information, they are not regulatory. "They portray steps in the development of the Plan."
- Safe pedestrian Crossings have been added as an objective of the Plan in four places.
- The cross section of River Road is clarified as a recommendation dependent on other processes such as a Transportation System Plan amendment. It has also been clarified that construction of improvements in the existing ROW width would be considered as an interim measure until such time as a full arterial width could be obtained. Additionally, specific reference to east/west side for the shared use sidewalk has been removed.
- The threshold of when the Plan takes effect has been modified from the proposed 25% of the valuation of the structure, to 25% of the total valuation (land and improvements), and excludes interior remodels, maintenance, and equipment.
- The reference to the Cherriots schedule has been clarified.
- The phrase "window coverage" has been changed to "minimum window area" to emphasize the distinction of windows, not window cling signs.
- Claggett Creek improvements are referenced in the public investments, and new language referencing accommodation of the future Claggett Creek trail project added.

- The allowance for reduced parking is unchanged, however the language has been modified to indicate the maximum allowed is not reduced.
- Accessory Dwelling Units in the RCOD are allowed two per residence, one attached and one detached—parking is required only for the second ADU, this is a question as to the new statute.

It should be noted that no additional testimony was received while the record was left open. The attached Draft Keizer Revitalization Plan, Development Code Sections, and Comprehensive Plan changes address the concerns and issues raised.

ACTIONS:

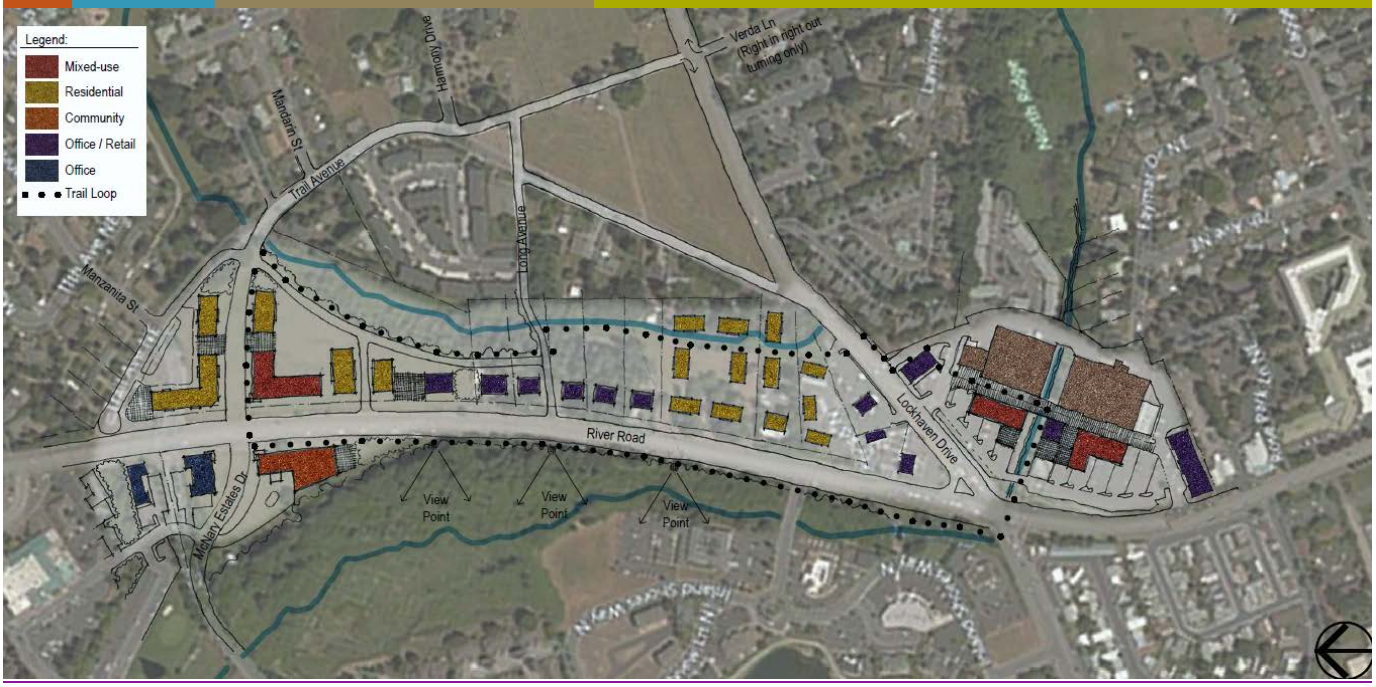
- Adopt the Keizer Revitalization Plan as a part of the Comprehensive Plan (includes removal of existing McNary Activity Center Plan references in the Comprehensive Plan)
- Comprehensive Map changes (Commercial to Mixed Use)
- Zoning Map changes (Commercial to Mixed Use)
- Keizer Development Code Amendments (creation of RCOD zone, along with supporting amendments to align proposed changes)

NOTE: Due to the necessity of having the changes shown, "track Changes" show in the document included in the packet. The pagination and some of the tables show in the document in different ways (or, oddly, repeated tables). This will not show in the document without track changes.

RECOMMENDATION:
Staff recommends City Council consider the proposed adoption of the Keizer Revitalization Plan, Comprehensive Plan/Map changes, zoning map changes, and KDC amendments, deliberate, and direct staff to prepare an ordinance with findings to adopt the proposed revisions.

Table 3 of the Plan lays out the "Potential Funding Matrix", namely Urban Renewal, Local or Business Improvement Districts, Parking Management Fund, Planning (for acquisitions), Grants and staff support. Beginning the review of these options is anticipated in the plan, but does not obligate the Council to any particular action.

Staff also recommends the following motion: "I move to direct staff to begin the process to evaluate how to establish funding for the public investments called for in the plan outlined in Table 3"



KEIZER REVITALIZATION PLAN

Adopted by Keizer City Council on ~~September~~ October __, 2019
Ordinance #_____

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Table of Contents

Page

~~Executive Summary....1~~

~~Section 1. Background and Planning Process....5~~

~~Section 2. Land Use and Urban Design....15~~

~~Section 3. Transportation....18~~

~~Section 4. Public Investment....24~~

~~Section 5. Implementation Strategies....27~~

~~Section 6. Potential Funding Sources....33~~

~~Appendix 1. Goals and Visions for Revitalization~~

~~Appendix 2. Existing Conditions~~

~~Appendix 3. Market Analysis~~

~~Appendix 4. Gap Analysis and Implementation Strategies~~

~~Appendix 5. Comprehensive Plan, Development Code, and Zoning Map Amendments~~

~~Appendix 6. Public Investments~~

~~Appendix 7. Mobility Impact Assessment~~

~~Appendix 8. Multimodal Transportation Assessment~~

~~Appendix 9. Overview of Public Engagement~~

Executive Summary....1

Section 1. Background and Planning Process....5

Section 2. Land Use and Urban Design....15

Section 3. Transportation....18

Section 4. Public Investment....24

Section 5. Implementation Strategies....27

Section 6. Potential Funding Sources....33

Section 7. Appendices....37

Acknowledgements

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Councilor Marlene Parsons
Councilor Roland Herrera
Councilor Elizabeth Smith
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The contents of this document do not necessarily reflect views or policies of the State of Oregon.

Executive Summary

Overview and Process

The Keizer Revitalization Plan provides a vision for revitalization of a key commercial corridor in the city of Keizer – the River Road/Cherry Avenue area. The Plan incorporates recommendations for updated policies and use, development, and design standards for the plan area; suggests public investments to achieve plan area objectives; and includes a set of strategies to implement the recommendations. The Keizer Revitalization Plan is ~~a supporting document to~~an adopted element of the City of Keizer's Comprehensive Plan.[1]

Goals and Objectives

The Plan's goals and objectives were developed in coordination with City staff, stakeholder groups, public input, a Citizen Advisory Committee, and decision-makers and provide the framework for the Plan recommendations. The Gap Analysis Addendum included as Appendix 4 provides additional detail about the development of the goals and objectives.

Goal A: A Thriving, Diverse Corridor

1. *Zoning and land use regulations that provide opportunities for a variety of living-wage jobs.*
2. *A range of goods and services for all.*
3. *Supports existing businesses and new businesses through implementation of public and private sector incentives, investments and partnerships.*
4. *A variety of housing for the range of community member incomes, needs, and preferences.*
5. *The creation of centers along the corridor, with transitions between them.*
6. *A strong and unified identity communicated through streetscape design elements.*
7. *Spaces for gathering and other places that celebrate the strength of community and family in the corridor.*

Goal B: Thoughtful Growth and Redevelopment

1. *Development (uses and design) that is consistent with Keizer's small-town character.*
2. *A mix of uses that makes more efficient use of existing and new infrastructure.*
3. *Proximity and mix of uses in development centers that community members can walk, roll, or drive (short distances) to access.*
4. *Public improvements and private development that create an attractive and distinctive identity for the area.*

Goal C: Excellent Transportation and Public Facilities

~~5.~~*1. A balanced set of transportation options including transit, walking, bicycling, and driving that provide access to development centers and public spaces in the corridor.*

~~6.~~*2. Transit access focused at development centers in the corridor.*

~~7.~~*3. Enhanced safety and minimal conflicts between different types of transportation modes.*

~~8.~~*4. Well-maintained roads that control and mitigate traffic congestion.*

~~9.~~*5. Well-maintained streets, and bicycle and pedestrian facilities.*

~~10.~~*6. Friendlier environments and slower traffic speeds that help facilitate walking and rolling on River Road and Cherry Avenue, through landscaping, crossings, and fewer driveways.*

[1] The Keizer Revitalization Plan has been adopted as an addition to the Keizer Comprehensive Plan. Therefore, the recommendations in the Plan are binding and provide policy guidance for future land use and transportation actions within the Plan area. The Appendices of the Plan ~~have not been~~are adopted~~.~~, ~~They~~and are included as~~ are included~~ as background materials for this planning project and process. However, except for text amendments to the Keizer Comprehensive Plan and KDC, ~~T~~they are not binding and do not have policy or regulatory authority. They portray steps in the development of the Plan.

~~11.~~ *Enhanced access to parks and the creation of gathering spaces that are accessible to all community members'* ~~.~~

Recommendations

The Plan recommends amendments and actions in three key areas: Land Use; Public Investments; and Transportation Facilities. Key recommendations are provided below, and more detail is provided in the Plan document and Appendices.

Land Use and Urban Design

The plan area has been organized into two key areas: The River-Cherry Overlay District (RCOD); and subdistricts or "Centers" as shown in Figure 1:

- Lockhaven Center
- Chemawa Center
- Cherry Center

Key land use recommendations for the plan area and sub-districts include targeted improvements to the existing Keizer Development Code to allow additional flexibility and clarity. These improvements include:

- Broaden and simplify standards for permitted uses within the RCOD.
- Revise site development standards within the RCOD (setbacks, landscaping, lot coverage) to allow for more efficient mixed-use development.
- Reduce off-street parking requirements.
- Allow a variety of housing types.
- Adopt new building design standards~~-~~.
- Address access spacing standards.
- Adopt new development standards for Centers in the RCOD.
- Adopt Urban Design Standards for Centers in the RCOD.

Transportation

A variety of transportation facility improvements are included in the plan to support mixed-use and multimodal development of the plan area. Key recommendations include:

- Provide a physically separated multi-use path on ~~the east side of~~ River Road to provide separation between the travel lane and the non-motorized space to accommodate users of all skill levels, ages, and abilities.
- Establish driveway consolidation and shared access standards for development and redevelopment.
- Establish "neighborhood greenways" to provide low-stress parallel bicycling routes to River Road.
- Develop sidewalk upgrade and infill program to connect neighborhoods to River Road and Cherry Street.
- Perform a road safety/mobility audit.
- Create additional safe pedestrian crossing opportunities.
- Implement existing Transportation System Plan projects to realign and reconstruct McNary and Manzanita (Project #R2) and improve the River Road/Wheatland Road intersection (Project #R3).

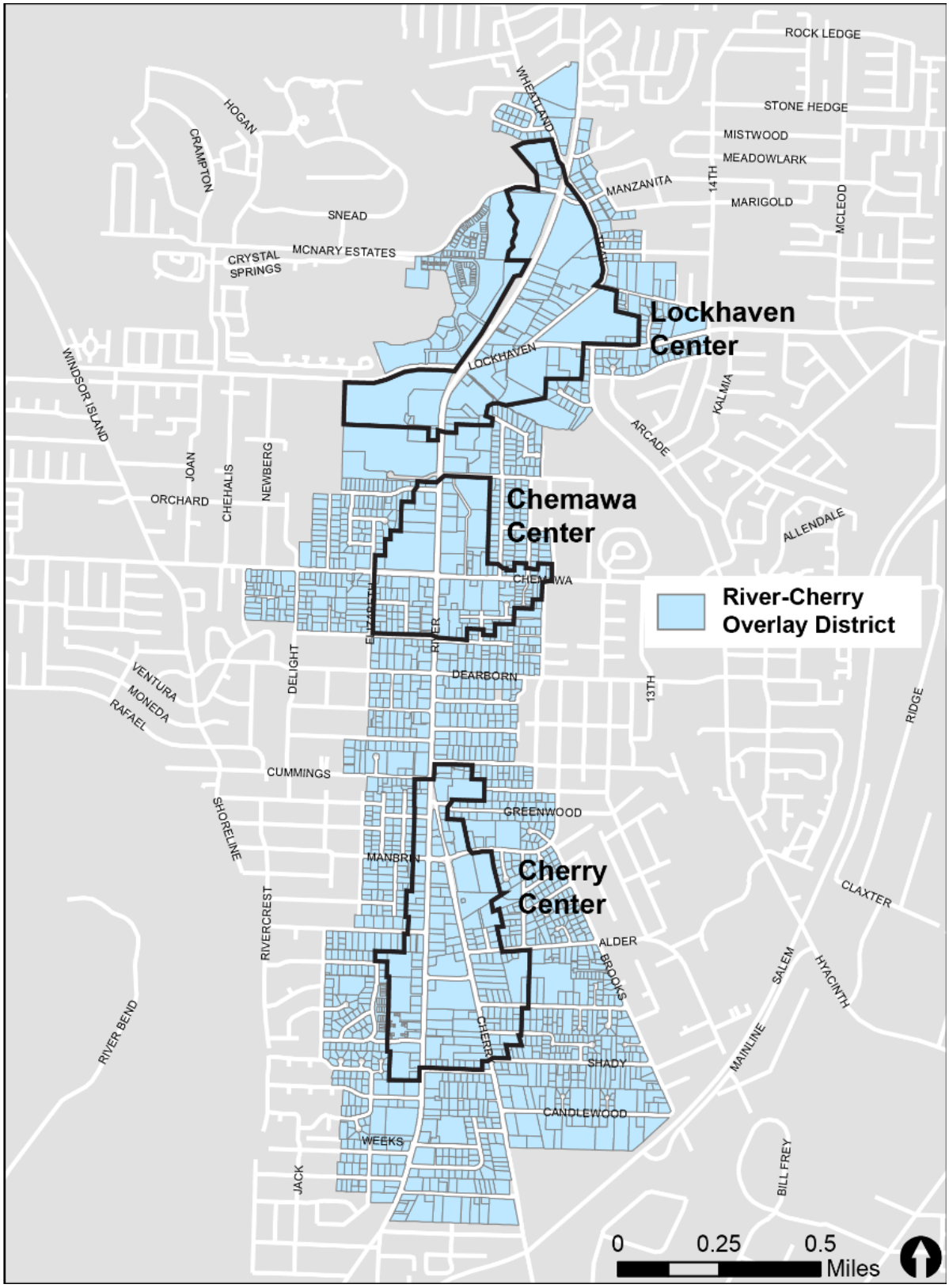
Public Investment

In order to implement the Plan objectives and goals, public investment will be necessary. These public investments will contribute to placemaking, transportation, parking, development partnerships, and economic development. Some of these investments are longer-term and require identification of funding sources and champions, while others are shorter-term and require policy revisions and coordination with private development. The key public investment initiatives include:

- Establish a Main Street Program.
- Create an Economic Development Department and/or Position.
- Develop Public Parking Lot(s).

- Enhance Claggett Creek near Lockhaven Intersection.
- Create an accessible public plaza, to include upgrades to Walery (Christmas Tree) Plaza.

Figure 1 – River-Cherry Overlay District (RCOD)



Source: City of Keizer, Marion County, ESRI

Section 1. Background and Planning Process

Project Overview

Background

The Keizer Revitalization Plan (Plan) is intended to refine the City of Keizer Comprehensive Plan and Development Code by building upon and replacing previously-adopted neighborhood plans and planning efforts, including but not limited to the Keizer River Road Renaissance Implementation Report, adopted in 2004; the McNary Activity Center Design Plan, adopted in 1991; and planning efforts in the Cherry Avenue area.

The Plan updates these plans and planning efforts to create policies and identify investments to increase development densities and the mix of land uses and to improve conditions for walking, cycling, and riding transit. The Plan will help the City make more efficient use of existing urban land and transportation infrastructure, reducing the need for future Urban Growth Boundary expansions and expensive transportation investments.

Project Plan Area

The Keizer Revitalization Plan is focused on the land surrounding the River Road and Cherry Avenue corridors, which together comprise Keizer's commercial core area. For the analysis portions of this Existing Conditions memo, a geographic study area was developed by selecting the properties planned and zoned for commercial or multifamily use, as well as the land extending approximately 500 feet beyond those properties. The south end of this area was clipped off where it extended past the city limits.

The study area boundary, shown in blue on the map in Figure 2 encompasses just over 1,000 acres. This is over 20 percent of the land within the city of Keizer, which includes a total of 4,590 acres and more than 5,000 properties. The study area includes the majority of the city's land that is designated for commercial and multifamily uses, but the boundary was extended to include adjacent residential neighborhoods as well. This is to ensure that the project also examines how nearby residents travel to and from the commercial areas and looks at what types of experiences they have.

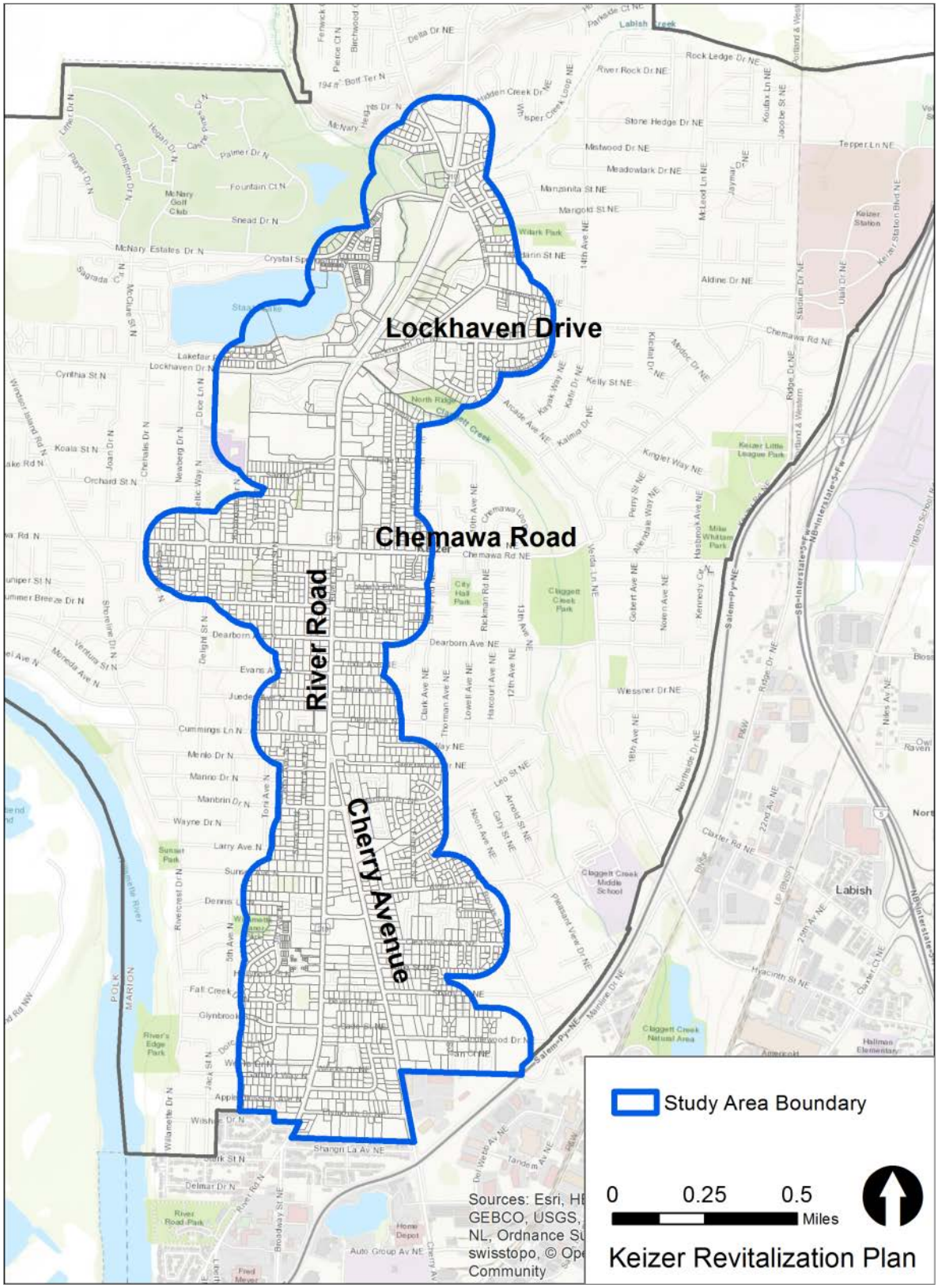
Plan Goals and Objectives

The Plan goals and objectives were developed by building on goals and objectives from prior plans and with input from the public events, citizen advisory committee, stakeholder meetings, the Planning Commission, and City Council convened for this planning process.

The goals and objectives were further refined to describe the desired outcomes of this project. Each of the Plan recommendations were reviewed against these goals and objectives. See Appendix 4.

Table 2 in Section 5 identifies the Plan Goals and Objectives, as well as the implementation strategies that will address each goal and objective. Sections 2 – 4 of the Plan provide detail of the recommendations for Land Use and Urban Design, Transportation, and Public Improvements and Investments. Section 5 of the Plan identifies implementation actions, and Section 6 identifies potential funding sources.

Figure 2— Plan Area Map



Source: City of Keizer, Marion County, ESRI

Planning Process and Public Engagement

The project team evaluated existing policies and regulations for the project area and created three potential scenarios for uses and development within the project area. These scenarios were refined based on input from the Citizen Advisory Committee, Planning Commission, and City Council. They were also evaluated against the project goals and objectives outlined above. This evaluation and community input resulted in a preferred scenario, which informed the proposed Comprehensive Plan and Development Code amendments and the transportation analysis.

Community members were actively involved in the planning process. The project team provided the following materials and conducted the following activities to provide information and request input and guidance during development of the Plan. See Appendix 9 for an overview of public engagement activities.

Informational Materials

The City of Keizer project manager created a web page for the project and kept it updated with current events, supporting documents, and project updates. The City's project manager established an e-mail list to communicate with interested parties.

Citizen Advisory Committee Meetings

The project team met four times with a Citizen Advisory Committee (CAC) consisting of business owners, business associations and residents of the study area, users of transportation facilities, and Salem-Keizer Public Schools. CAC input was incorporated into these final Plan recommendations.

Stakeholder Meetings and Interviews

The project team conducted 16 interviews with several Plan area business and property owners, neighborhood representatives, and conducted three stakeholder outreach meetings. Stakeholder input was incorporated into these final Plan recommendations.

Public Meetings

The project team conducted two public events and two community meetings to share the progress of the project and receive input from the broader community. Public input was incorporated into these final Plan recommendations.

City Council and Planning Commission Work Sessions

The City Council and Planning Commission held two joint work sessions during the development of the Plan and provided guidance for the final draft Plan. The City Council and Planning Commission will review and adopt this plan as an amendment to the Keizer Comprehensive Plan.

Existing Conditions

Land Use

Comprehensive Plan

~~Adopted in 2014,~~ Keizer's Comprehensive Plan establishes community goals and aspirations, and broadly guides future development through maps, goals and policies. As Figure 3 illustrates, the majority of the land directly along the River Road/Cherry Ave corridors is designated for commercial use. In fact, Keizer has little commercially designated land outside of the project study area. This area is also home to most of the lands

designated for medium-high density residential development. Because the boundary for the study area extends 500 feet beyond the properties zoned for commercial use and multifamily residential housing, a large share of the land within this analysis area is also designated for low-density (single-family) and medium-density housing.

Zoning
While the Comprehensive Plan map illustrates a more general, long-term vision for the city's land uses, the zoning map implements the Comprehensive Plan by regulating what is allowed on the land today and providing the details that shape physical development. As is evident in ~~Error!~~ Figure 4 ~~Reference source not found.~~ below, the patterns seen in the zoning map closely align with the Comprehensive Plan map. (Note: the zoning map depicted in Figure aggregates zoning designations into general classes for the sake of simplified illustration and analysis. The City's official zoning map shows multiple zoning designations within some of these generalized classes, but those are not depicted here.)

Land Use Patterns

The Marion County assessor categorizes the uses of each property within the county; this data is mapped in Figure 3 below depicts Comprehensive Plan designations for land within the city.

As Figure 3 illustrates, the majority of the land directly along the River Road/Cherry Ave corridors is designated for commercial use. In fact, Keizer has little commercially designated land outside of the project study area. This area is also home to most of the lands designated for medium-high density residential development. Because the boundary for the study area extends 500 feet beyond the properties zoned for commercial use and multifamily residential housing, a large share of the land within this analysis area is also designated for low-density (single-family) and medium-density housing.

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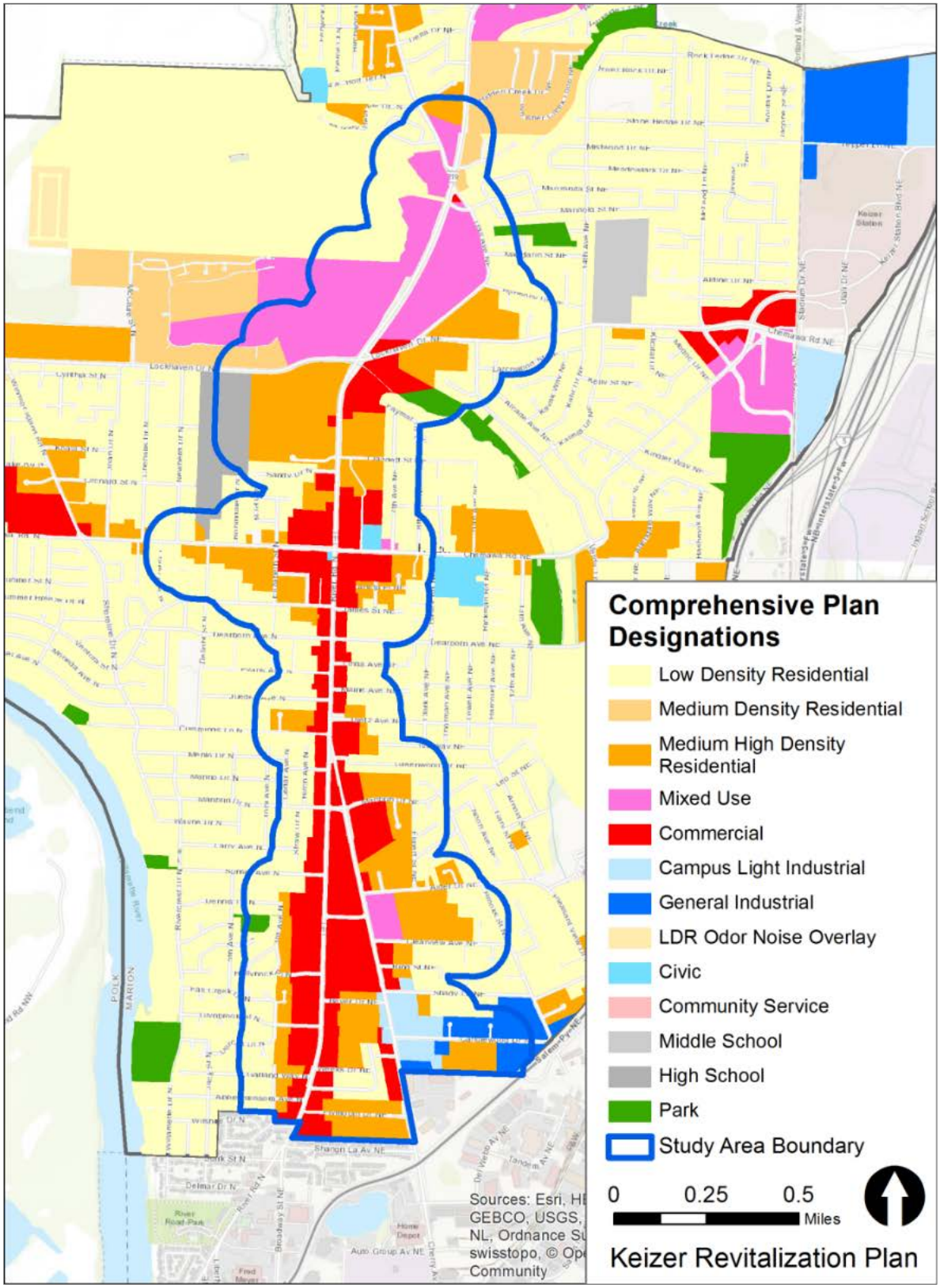
~~**Land Use Patterns**~~

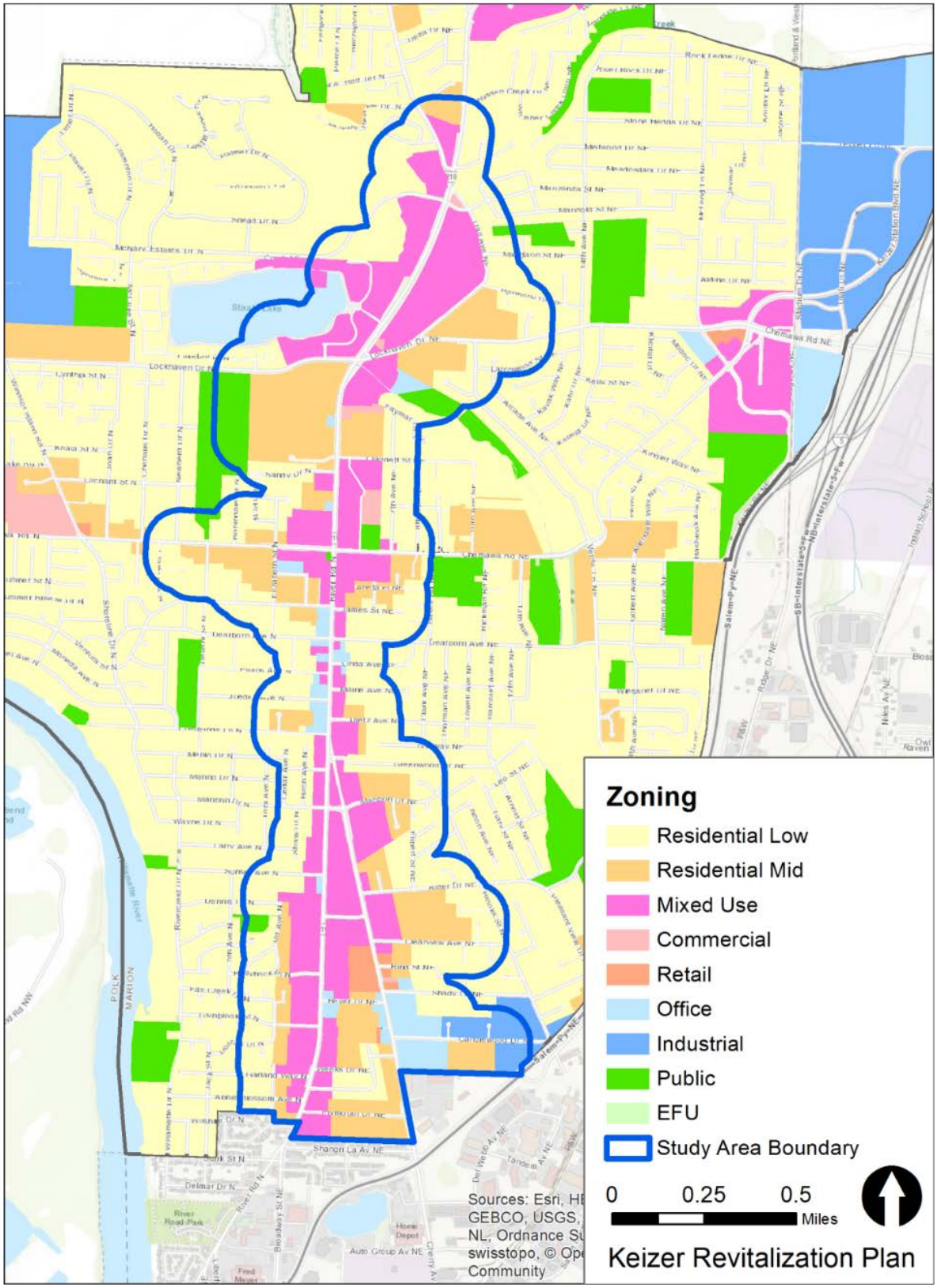
~~The Marion County assessor categorizes the uses of each property within the county; this data is mapped in Figure 5 below. The geographic patterns seen in the land use map follow closely the patterns already seen in the comprehensive plan and zoning maps. However, the land use data indicates the actual current use for each property in the city, as opposed to indicating what type of development is allowed on these properties in the future. Figure 5 shows that the lands along River Road and Cherry Avenue are dominated by commercial uses. Multifamily housing is also prevalent along the edges of the commercial areas, often serving as a transitional area between commercial and single-family residential uses. Still, there are several places within the study area where single-family homes are immediately adjacent to these commercial uses.~~

Figure 3— Comprehensive Plan Map



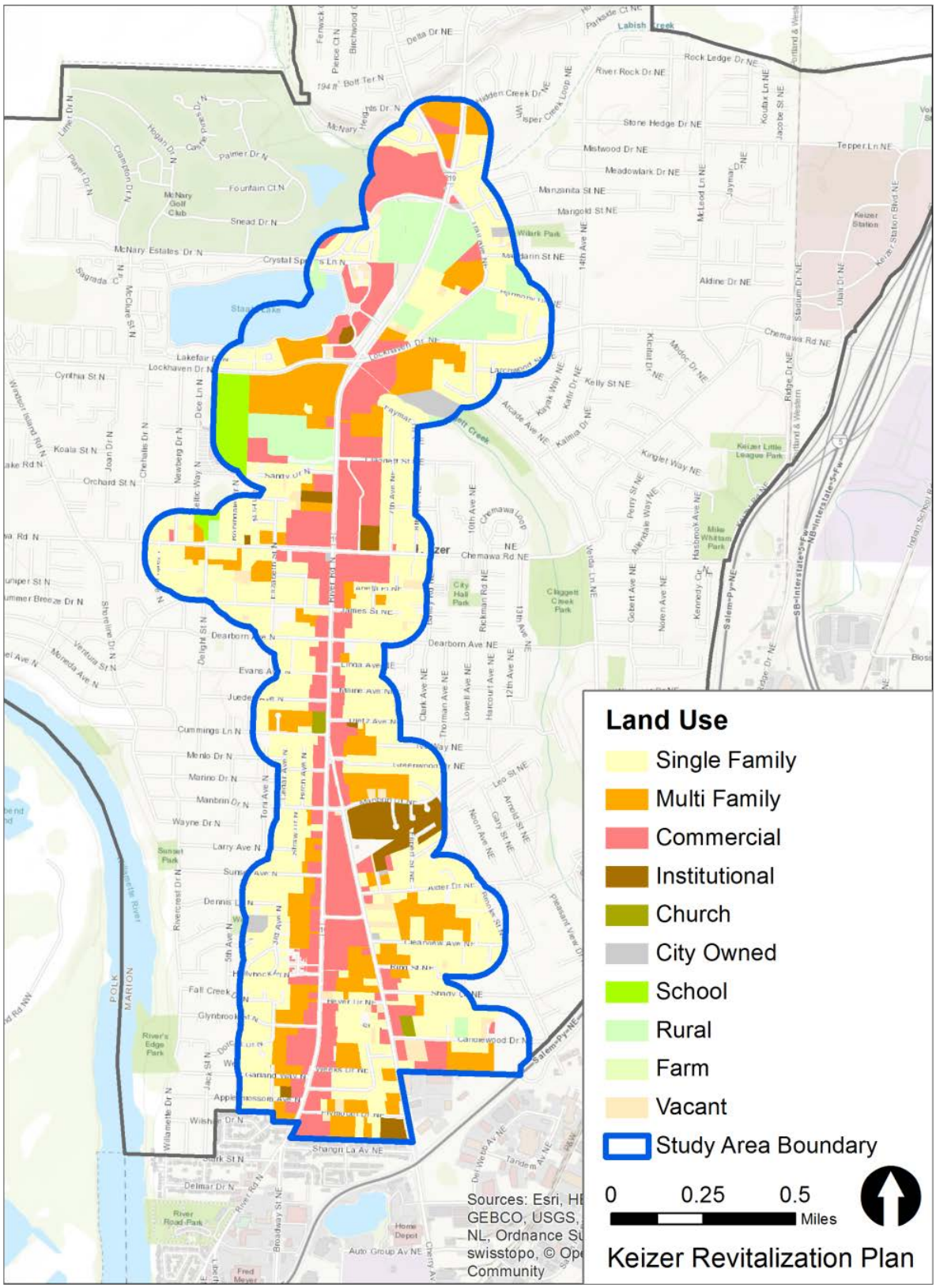
Source: City of Keizer, ESRI

Figure 4— Zoning Map



Source: City of Keizer, ESRI

Figure 5—Land Use Map



Source: City of Keizer, Marion County Assessor, ESRI

Transportation

Existing Conditions

Pedestrian Facilities

The pedestrian system along River Road includes continuous sidewalk facilities on both sides of the roadway for its entire length within the study area. Similarly, Cherry Avenue also ~~provide~~ includes sidewalk facilities on both sides of the roadway. The overall condition of the pedestrian facilities along River Road is generally good with regards to spalling/cracking, frequency of pedestrian obstructions, horizontal/vertical buffers, and presence of lighting. The overall condition of pedestrian facilities along Cherry Avenue is generally excellent as the number of lanes is reduced to three and a landscape strip is provided between the travel lane and pedestrian facility on both sides of the roadway. Most curb-ramps within the study area appear to meet the American's with Disability Act (ADA) accessible standards for curb-ramp grade compliance; however, most curb-ramps do not provide a tactile warning strip and are therefore non-ADA compliant.

Bicycle Facilities

The bicycle system along River Road includes continuous on-street bike lanes on both sides of the roadway between Wheatland Road and Chemawa Road. South of Chemawa Road, on-street bike lanes are not provided along River Road. The bicycle system along Cherry Avenue includes continuous bicycle facilities on both sides of the roadway for its entire length.

The overall condition of the bicycle facilities along River Road is generally poor due to the facility gaps, posted speed, number of vehicle lanes, and average daily traffic (ADT) volumes. The overall condition of bicycle facilities along Cherry Avenue is generally good as continuous facilities are provided throughout the entire length of the roadway, the number of vehicle travel lanes is reduced to three, and the ADT is lower in comparison to River Road. It is worth noting that the City's TSP identifies an alternative parallel bicycle route to the west of River Road along Windsor Island Road, Shoreline Drive, and Rivercrest Drive.

Transit Facilities

Transit service in the project study area, known as "Cherriots," is provided by Salem-Keizer Transit (SKT) which operates fixed-routes 9, 14 and 19 in the study area. Per the ~~current~~ Cherriots schedule at the time of adoption, the following routes serve the study area:

- Route 9: Cherry/River Road operates as a standard service line providing transit service along River Road and Cherry Avenue with 30 to 60-minute headways during most of the day. Buses run weekdays from 6:30 a.m. to 9:24 p.m. and Saturdays from 7:00 a.m. to 9:24 p.m.
- Route 14: Windsor Island Road operates as a standard loop service line with 30-minute headways providing transit service from Keizer Station to Windsor Island Road via Lockhaven Drive. The bus then returns to Keizer Station along Chemawa Road. Buses run on weekdays from approximately 6:00 a.m. to 9:10 p.m.
- Route 19: Broadway/River Road operates as a frequent service line providing transit service along the full-length of River Road with 15-minute headways during most of the day and 30-minute headways after 7:00 p.m. Buses run on ~~all routes on~~ weekdays from approximately 6:30 a.m. to 11:19 p.m. and on Saturdays from approximately 7:00 a.m. to 9:~~00~~19 p.m.

A more thorough evaluation of these facilities is included as Appendix 8.

Qualitative Multimodal Assessment

The ODOT APM provides a methodology for evaluating bicycle, pedestrian, and transit facilities within urban and rural environments called Qualitative Multimodal Assessment (QMA). As applied by ODOT, this methodology uses four types of context-based subjective ratings of Excellent, Good, Fair, and Poor. The QMA is based on

outside travel lane width, bicycle lane/shoulder width, presence of buffers (landscaped or other), sidewalk/path presence, lighting, travel lanes and speed of motorized traffic.

The qualitative multimodal assessment was conducted for River Road and separated into two segments based on the varying character and facilities provided. These segments include:

- Segment 1: River Road – Northern Study Area Limits to Chemawa Road
- Segment 2: River Road – Chemawa Road to Southern Study Area Limits

The results of the qualitative multimodal analysis for Segment 1 and Segment 2 of River Road are illustrated in Table 1. A detailed analysis of bicycle facilities along River Road as well as parallel routes is included in the following section.

Table 1 – River Road (Segment 1 and 2) Qualitative Multimodal Assessment

Segment	Pedestrian	Bicycle	Transit
Segment 1: River Road Northern Study Area Limits to Chemawa Road	Fair	Fair	Fair
Segment 2: Chemawa Road to Southern Study Area Limits	Fair	Poor	Fair

Bicycle Level of Traffic Stress

The ODOT APM provides a methodology for evaluating bicycle facilities within urban and rural environments called Bicycle Level of Traffic Stress (BLTS). As applied by ODOT, this methodology classifies four levels of traffic stress that a bicyclist can experience on the roadway, ranging from BLTS 1 (little traffic stress) to BLTS 4 (high traffic stress). A road segment that is rated BLTS 1 generally has low traffic volumes and travel speeds and is suitable for all cyclists, including children. A road segment that is rated BLTS 4 generally has high traffic volumes and travel speeds and is perceived as unsafe by most adults. Per the APM, BLTS 2 is considered a reasonable target for bicycle facilities due to its acceptability with most people.

The BLTS score is determined based on the speed of the roadway, the number of travel lanes per direction, the presence and width of an on-street bike lane and/or adjacent parking lane, and several other factors such as the presence of a centerline. There are 7 segments rated BLTS 3 and 10 segments rated BLTS 4 within the adjacent parallel routes identified in the Keizer TSP.

Public Facilities and Services

~~As detailed in Appendix 2, the~~The capacity of Keizer's public facilities and services pose no significant barriers to new development or redevelopment within the study area. A more thorough evaluation of these facilities is included as Appendix 2.

Water

The City of Keizer owns wells, pumps, storage facilities, and treatment facilities that are used to deliver clean water to residences and commercial entities within the city. Keizer's Water Master Plan includes plans to serve the community through 2032. The City Public Works department has indicated that there is adequate water supply, treatment, and distribution for the city, given projected population growth through 2032. The Master Plan calls for an additional reservoir and pumping station to be built between 2020 and 2026 to accommodate expected growth.

Wastewater

Wastewater, also referred to as sewer, is conveyed through the City using pipes and pumps owned and operated by Keizer itself. Treatment is provided at the City of Salem's Willow Lake facility which process waste from the cities of Keizer, Salem, and Turner. Keizer Public Works indicates that there is adequate wastewater capacity to accommodate the city's projected growth.

Stormwater

The City owns a network of pipes and treatment facilities that release water into stream basins and wells. For new development, the City requires on-site stormwater treatment through ~~f~~infiltration or biological treatment. This is to ensure that new development has minimal impact on the existing stormwater system, and that it can accommodate Keizer's growth.

Market Analysis

From this analysis, it appears that achievable pricing in the Plan area may be high enough to attract some redevelopment and infill development of residential uses, both ownership and rental. ~~-~~This will differ from site to site based on the age and condition of the existing use, the size of the parcel and how many new units it can accommodate. ~~-~~Under current conditions, the most likely residential forms are likely to remain low-rise attached buildings of three stories or less.

Currently, redevelopment of commercial properties along the highway may remain more of a challenge. ~~-~~This is because achievable commercial lease rates are still modest enough that they will not justify the cost of redevelopment of most sites. ~~-~~However, it is possible that office rent levels may justify redevelopment of low-value parcels into new office or office/retail mixed properties over time. Commercial lease rates are typically higher at larger shopping centers with an anchor tenant, such as a grocery or department store. ~~-~~A new shopping center may be a potential user of new development.~~-~~ However, finding a parcel of sufficient size or assembling a collection of smaller parcels presents a challenge as this strip is largely built out.

As detailed in Appendix 3, in order to increase opportunities for redevelopment, new centers of activity are needed, and the current low-density, highway-oriented commercial environment would need to change. Public interventions will be necessary to assist this process. Potential public interventions are described in more detail in Section 6.

Scenario Analysis

Three development scenarios were developed for discussion with the community. The consultant team evaluated the scenarios against the project goals and objectives and identified the potential outcomes of each scenario. A more detailed evaluation is found in Appendix 4.

Ultimately, Scenario 3 was selected for further evaluation and provided direction for the recommended policy and regulatory revisions. The Land Use and Urban Design; Transportation; and Public Investment recommendations in the following sections implement Scenario 3.

Background Documents

Background documents prepared during the planning process have been ~~incorporated~~included as Appendices and provide additional detail. The Appendices ~~have not been~~are adopted, ~~and~~however do not have binding policy or regulatory authority (see Footnote 1); they portray steps in the development of the Plan.

Section 2. Land Use and Urban Design

This section describes Plan goals and assumptions related to land use and urban design; the evaluation of land use and urban design needs, and recommendations to address impediments identified in Appendix 4.

Goals and Assumptions

The plan area goals and objectives for land use and urban design include the following:

- Zoning and land use regulations that provide opportunities for a variety of living-wage jobs.
- A range of goods and services for all.
- A variety of housing for the range of community member incomes, needs, and preferences.
- The creation of centers along the corridor, with transitions between them.
- Spaces for gathering and other places that celebrate the strength of community and family in the corridor.
- Development (uses and design) that is consistent with Keizer's small-town character.
- A mix of uses that makes more efficient use of existing and new infrastructure.
- Proximity and mix of uses in development centers that community members can walk, roll, or drive (short distances) to access.
- Public improvements and private development that create an attractive, distinctive identity for the area.
- Transit access focused at development centers in the corridor.
- Friendlier environments and slower traffic speeds that help facilitate walking and rolling on River Road and Cherry Avenue, through landscaping, crossings, and fewer driveways.

Analysis

The draft Plan and Code amendments were presented for review and discussion at the third meeting of the CAC, stakeholder outreach meetings, a public event, a community meeting, and a joint Planning Commission and City Council work session in March 2019. The proposed Plan and Code amendment have incorporated input from those meetings and events.

Recommendations

Comprehensive Plan and Development Code Amendments

Comprehensive Plan

This Plan is intended to be adopted as an element of (i.e., an addition to) the City of Keizer Comprehensive Plan, thus amending the City's current Comprehensive Plan. The Plan appendices are provided as background documentation and represent a "snapshot in time." As an element of the Comprehensive Plan, this Plan's goals and objectives serve as policy statements with which future applications in the Plan area will be required to demonstrate consistency.

In addition, Appendix 5 presents specific amendments to the existing Comprehensive Plan, including:

- **Comprehensive Plan Map amendments** – Map amendments remove the McNary Activity Center designation to allow for new Lockhaven Center provisions to be the primary guidance in the northern center in the corridor. Some Comprehensive Plan Map designations are shifted to Mixed Use to support consistent implementation of the mixed-use vision for the corridor, including the rezoning of land to Mixed Use zoning designations.
- **Comprehensive Plan text** amendments – Minor text modifications acknowledge the Keizer Revitalization Plan and retire the McNary Activity Center Plan.

Development Code

Keizer Development Code (KDC) amendments created to implement this Plan include the following:

- **River-Cherry Overlay District (RCOD)** – ~~As discussed in Section 2, the~~The RCOD is a new overlay district- a "leaner and cleaner approach" recommended for the Plan area instead of the more typical approach of creating a new base zone or modifications to existing base zones that would need to be specified as applying either city-wide or just in the Plan corridor.
- **Other KDC amendments** – Amendments were also crafted for other sections of the KDC that are largely procedural in that they provide needed references to the RCOD and support its implementation. See the amendments in Appendix 5.
- **Zone Map amendments** – While they are not development code amendments per se, sets of potential Zone Map amendments were developed as part of this planning process that help implement the Plan's goals and objectives and the RCOD. These amendments consist of ~~large-scale~~ rezoning ~~of~~many areas from existing commercial zoning to Mixed Use (see Appendix 5.B). Rezoning a few select areas from medium-density residential to Mixed Use and some single-family residential land to medium-density residential was also recommended for revitalizing this corridor. However, those recommendations, including measures to preserve affordable housing, will be further reviewed and discussed with the community before action is taken. In general, consistent Mixed Use zoning in the corridor allows for the full range of uses desired in the corridor; flexibility for property owners and future developers; uniformity in the direction and application of development requirements; ~~and~~ application of existing Mixed Use zone development requirements related to pedestrian and vehicle circulation; and building design that exemplify the goals and objectives of this Plan.

Permitted uses

The proposed amendments address:

- Mixed-use development
- Housing variety
- Employment

Development and Design Standards

The proposed amendments address:

- Site development standards
  - Setbacks
  - Minimum landscaping
  - Density and lot size
  - Parking (ratios and locations)
- Building standards
  - Building and entrance orientation and accessibility
  - Ground floor uses
  - ~~Glazing~~Windows/transparency
  - Weather protection
  - Architectural detailing
  - Height

Frontage Improvement Requirements

The proposed amendments:

- Establish or clarify requirements for frontage improvements (e.g., right-of-way dedication, sidewalks, and street trees) as part of new development and major renovation.
- Modify existing language to clarify access standards.

Code Structure and Administration

The proposed amendments update code structure and administrative procedures to:

- Implement regulations for the Plan Area through an overlay district.
- Establish use tables with broader use descriptions and add definitions for uses not currently defined.
- Provide objective and discretionary tracks for master plans in the Lockhaven Center sub-district.

Land Use and Urban Design Approach by Area

The proposed amendments establish the River-Cherry Overlay District (RCOD) and three Centers, each of which has a distinct land use and urban design approach.

Corridor

Key land use and urban design provisions that apply corridor-wide include:

- Rezone commercial zones to Mixed Use
- Uses:
  - Broaden and simplify standards for allowed land uses
- Establish efficiency measures for:
  - Landscaping and lot coverage
  - Parking requirements
  - Residential density and lot size
  - Allowance of small-scale housing
- Establish urban design standards:
  - Enhance landscaping design standards
- Access standards:
  - Require shared access when certain development thresholds are met

Centers

Elements of the RCOD that apply specifically to Centers include:

- Requirement for Master Plan for larger parcels in the Lockhaven Center
- Uses:
  - ~~Limiting auto-oriented uses~~Allowing auto oriented uses through specific site review
- Efficiency measures:
  - Reduced minimum landscaping requirements and increase maximum lot coverage allowances
  - Additional opportunities for reducing minimum off-street parking requirements
- Site design standards for properties fronting River Road, Lockhaven Drive, and Cherry Ave:
  - Maximum setbacks
  - Parking location
  - Landscaping
  - Pedestrian open space
- Building design standards for Centers:
  - ~~Window coverage~~
  - Minimum window area
  - Articulation and detailing
  - Building materials
  - Screening of mechanical equipment

Section 3. Transportation

This section describes the outcomes of the transportation analysis and recommended transportation improvements to address the impediments to development identified in Appendix 4. As many of these strategies also require public investment, there is significant interaction between Section 3 and Section 4.

Goals and Assumptions

The plan area goals and objectives for transportation include the following:

- A strong and unified identity communicated through streetscape design elements.
- Transit access focused at development centers in the corridor.
- Enhanced safety and minimal conflicts between different types of transportation modes.
- A balanced set of transportation options, including transit, walking, bicycling, and driving that provide good access to development centers and public spaces in the corridor.
- Well-maintained roads that control and mitigate traffic congestion.
- Friendlier environments and slower traffic speeds that help facilitate walking and rolling on River Road and Cherry Avenue, through landscaping, crossings, and fewer driveways.
- Enhanced access to parks and the creation of gathering spaces that are accessible to all community members.

These goals and objectives are implemented through revisions to the Transportation System Plan and a combination of public and private investments.

Analysis

Two analyses were conducted to evaluate the proposed development code and zoning map amendments: A Mobility Impact Assessment and a Multimodal Transportation Assessment. Both are included as Appendices 7 and 8.

The Mobility Impact Assessment determined that the potential transportation impacts of the proposed development code and zone map amendments were not significant per OAR 660-012-0060. As such, no changes to the functional classification of existing or planned transportation facilities are required and no revisions to the Comprehensive Plan are required.

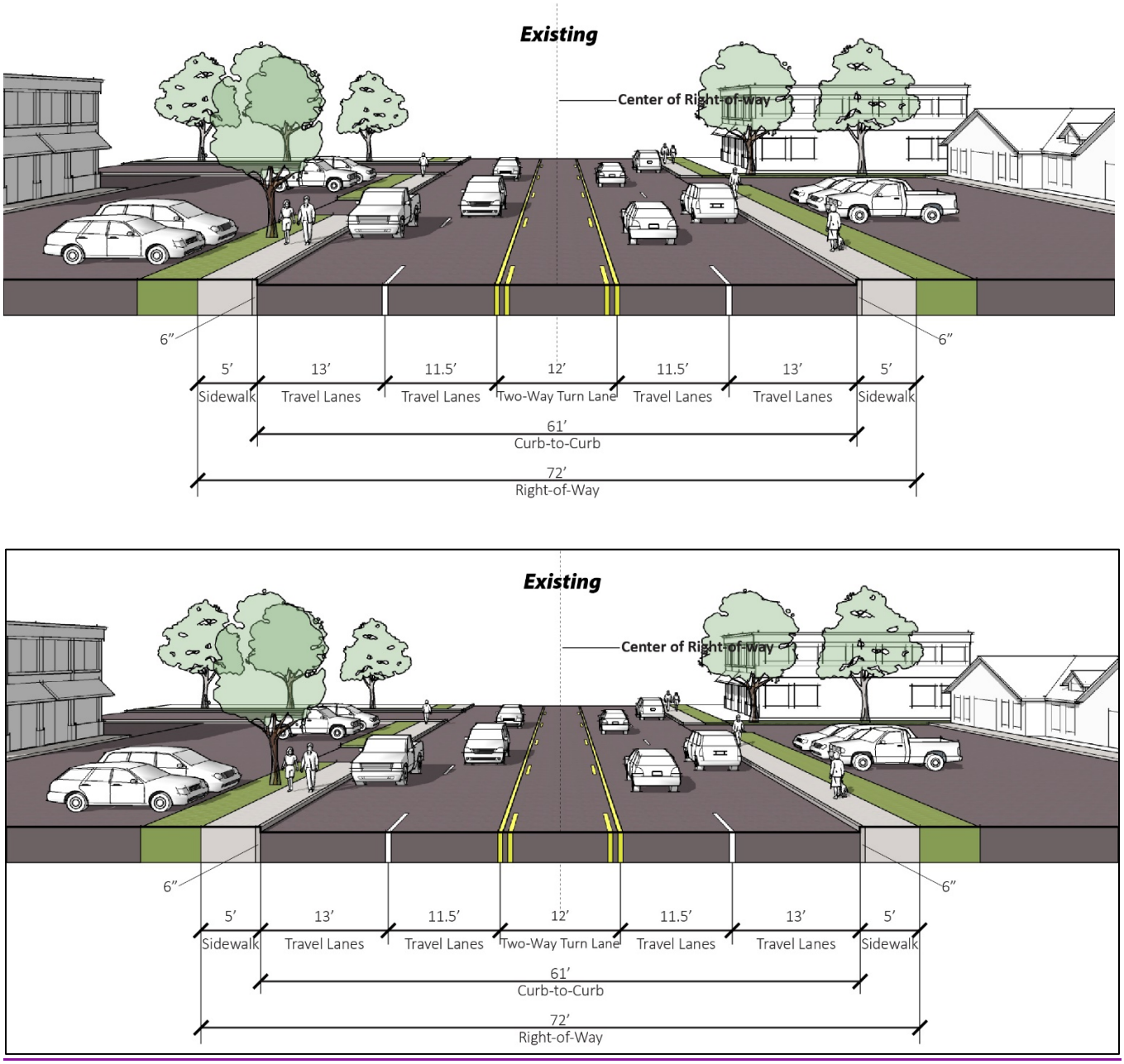
However, the Multimodal Transportation Assessment included a Qualitative Multimodal Assessment of pedestrian, bicycle, and transit facilities and identified several areas that ranked “poor,” the lowest ~~ranging~~rating. The recommended improvements are intended to address these “poor” facilities through the provision of alternative routes and improved infrastructure.

Recommendations

Construct a modified streetscape design~~: River Road multi-use path and access consolidation~~ to incorporate bicycle facilities

The existing River Road right-of-way is 72 ft. wide and includes curb-tight sidewalks on each side, 13-ft. and 11.5-ft travel lanes, and center 12-ft. turn lane with 61~~-~~ft. of curb-to-curb distance. See Figure 6.

Figure 6 – Existing River Road Cross-Section



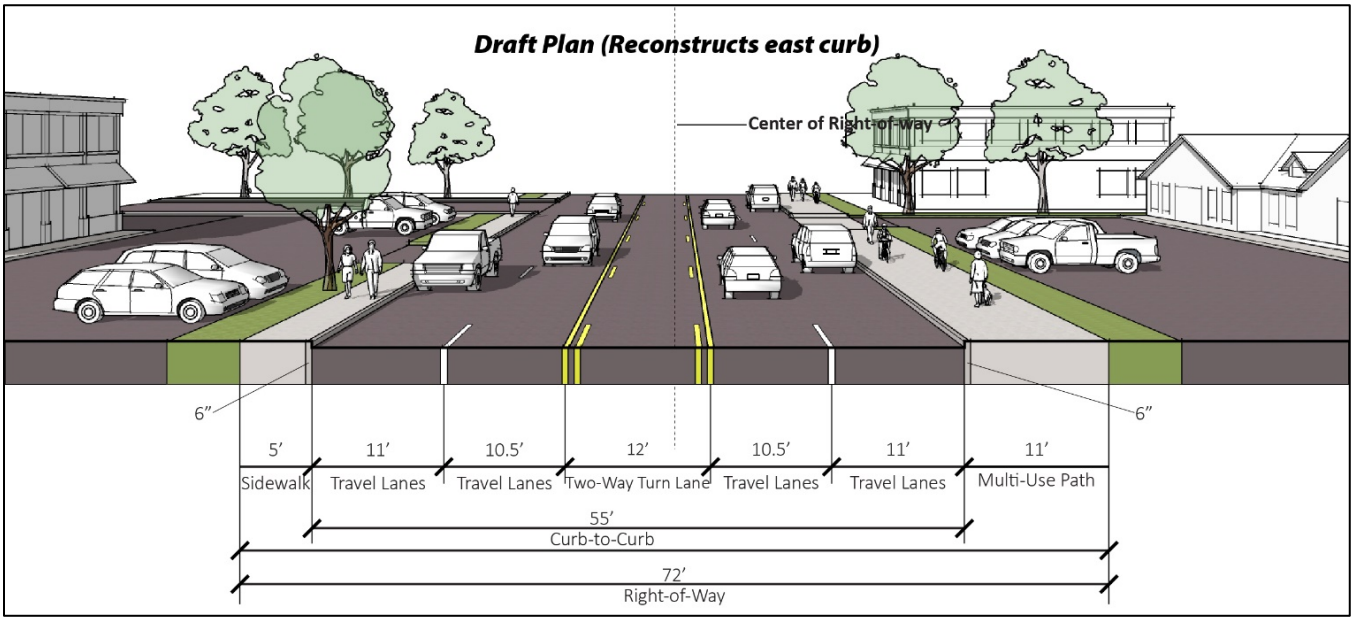
Source: Kittelson and Associates, Inc.

Through discussions with City staff and community members, a modified streetscape design for River Road that could be constructed within the existing right-of-way as an interim cross-section was developed. Figure 7 shows a physically separated multi-use path on the east side of the River Road. This alternative requires the outside vehicular lanes to be reduced from 13 ~~feet~~ft. to approximately 11 ~~feet~~ft. and the inside travel lanes from 11.5 ~~feet~~ft. to approximately 10.5 ~~feet;~~ft.; however, it maintains the two-way center turn lane. This cross-section is anticipated as an interim approach until the City is able to acquire the full arterial right-of-way width of 84 ft.

The multi-use path alternative would provide separation between the travel lane and the non-motorized space to accommodate users of all skill levels, ages, and abilities. Though the graphic shows the path on the east side of River Road, the path could be constructed on either side of River Road as determined by more refined analysis

and design; however, considerations should include minimizing the number of cross-streets and driveways that the path would cross in addition to sight distance, land uses, and safe crossings of River Road. This cross-section would require shifting the centerline of the road to the west side of the existing centerline to allow construction of a curb and path within the existing right-of-way.

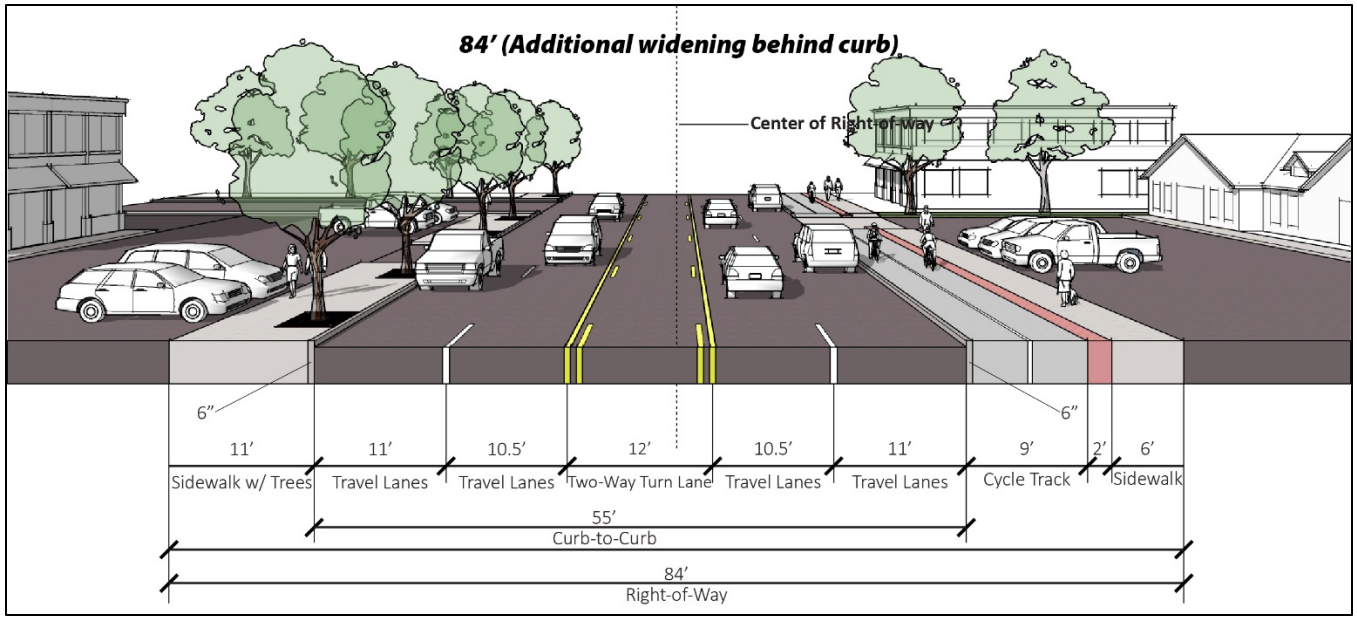
Figure 7 – River Road Multi-Use Path (Chemawa Road to Southern Study Area Limits)



Source: Kittelson and Associates, Inc.

If the City is able to acquire additional right-of-way from properties along River Road to the full arterial road cross-section of 84 ft., additional options become available. As shown in Figure 8, the ~~55'~~55 ft. curb-to-curb option in Figure 7 could be maintained and the additional right-of-way could be used to convert the multi-use path to a two-way cycle track and sidewalk on one side of the street ~~with~~and a wide sidewalk with street trees or a landscaping strip ~~could be constructed~~ on the other side of the street.

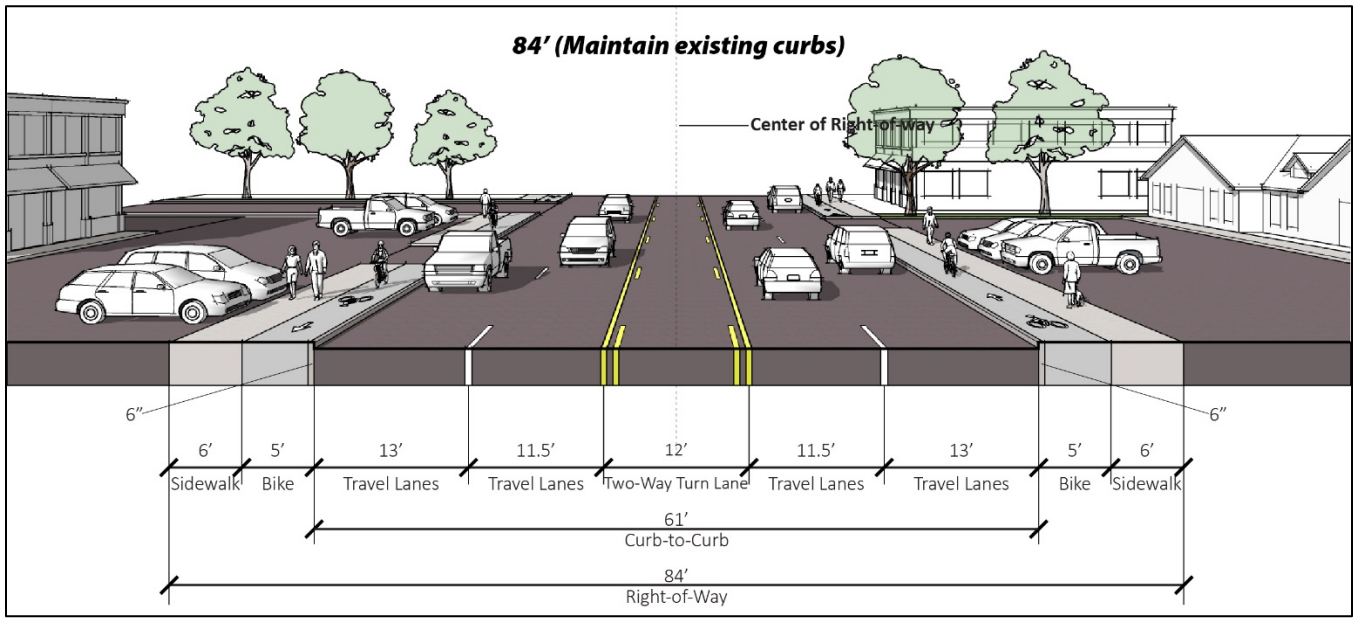
Figure 8 – River Road Cycle Track within 84-ft. ROW (Chemawa Road to Southern Study Area Limits)



Source: Kittelson and Associates, Inc.

Another option would be to retain the existing travel lane width and curb locations and construct curb-separated bike facilities on either side of River Road within the 84-ft. right-of-way. This option would not allow for a landscaping strip and the bike facilities would be curb tight. These facilities could be constructed as 11-ft multi-use paths on each side as segments are incrementally improved and converted to separate bike facilities and sidewalks as shown below in Figure 9 once large sections are complete.

Figure 9 – River Road Multi-Use Path (Chemawa Road to Southern Study Area Limits)



Source: Kittelson and Associates, Inc.

Improve Wheatland Road intersection

The 2009 Transportation System Plan (TSP) includes a significant redesign of the intersection of River Road and Wheatland Drive at the northern end of the project area. ~~-~~The intersection is expected to operate near capacity within the next decade or so. Additionally, the TSP revealed a potential safety issue ~~was revealed~~ related to north-bound travelers turning left onto Wheatland Drive. ~~Figure 7 illustrates the potential improvements.~~

The Plan recommends ~~supports~~ modifications to Wheatland Road; however, members of the public indicated that the realignment of the Manzanita/McNary Road intersection should take priority.

Re-align Manzanita Street and McNary Road Intersection

The River and Wheatland Road intersection is just over 300 feet from the intersection with McNary Road and River Road. ~~-~~According to City standards, intersections on arterials should be spaced at least 250 feet apart, however experts suggest that this is less than the desired distance for signalized intersections of this scale. ~~-~~Re-aligning the Manzanita Street / McNary Road intersection to accomplish the desired spacing could be a catalyst for unlocking the development potential of the vacant lands in the vicinity. ~~-~~Moving the intersection southward and aligning or re-routing Trail Avenue traffic along a Manzanita Street realignment can provide access and frontage to several new developable city blocks.

Create parallel North-South bicycle network

The entire length of River Road is rated Bicycle Level of Traffic Stress (BLTS) of 3 or above. As such, low-stress parallel bicycle routes are proposed.

Parallel Routes West of River Road

An opportunity exists to provide a relatively direct north-south low stress parallel bicycle route via Celtic Way, Delight Street, Menlo Drive, and Rivercrest Drive. This parallel route has a rating of BLTS 1 and is suitable for bicyclists of all ages, abilities, and skillsets. The Salem-Keizer School District has jurisdiction over Celtic Way and is responsible for operations and maintenance of the corridor between Lockhaven Drive and Chemawa Road. Coordination between the City of Keizer and the Salem-Keizer School District should be conducted to ensure approval of signing and striping associated with the recommended parallel route treatments.

Parallel Routes East of River Road

An opportunity exists to provide a parallel low stress bicycle route via Brooks Avenue, Thorman Avenue, Lawless Street, Clark Avenue, and Bailey Road. This parallel route is less direct in comparison to the parallel route west of River Road and requires two-stage turning maneuvers at Dearborn Avenue from Bailey Road to Thorman Avenue and at Chemawa Road from 8th Avenue to Bailey Road.

Neighborhood greenways are residential streets designed to prioritize the movement of people walking and biking by taking advantage of the low speed and low volume vehicular traffic. Typical best practice for neighborhood greenways is a posted speed limit of 20 miles per hour (mph) or less, with an average daily average traffic (ADT) of approximately 1,000 cars; not to exceed 2,000 cars per day.

Develop sidewalk upgrade and infill program

The existing sidewalk network includes sidewalks along arterials and sidewalks along side streets that connect to those arterials (“connector” sidewalks). The existing sidewalk network consists of a combination of “high quality” sidewalks, sidewalks needing improvement, and gaps in the sidewalk network.

A comprehensive sidewalk upgrade and infill program would address the sidewalks needing improvement and sidewalk gaps to provide a safe, connected pedestrian route between the plan area and adjacent neighborhoods. See Appendix 6 for details.

Perform a road safety/mobility audit

Appendix 6 identified a series of safety and mobility improvements. An audit is recommended prior to detailed design of the identified improvements. This audit would include:

- Synthesis of information available from plans and data sources.
- Field visit to the corridor.
- Documentation of information review and field visit to guide future repairs and upgrades.

Create additional safe pedestrian crossing opportunities

Conduct an evaluation of the plan area to identify feasible locations for safe enhanced pedestrian crossings between signalized intersections.

Section 4. Public Investment

Many of the investments and initiatives recommended by the Plan require public investment. This section describes the purpose and timing of those investments as well as potential tools for further evaluation and adoption.

Goals and Assumptions

The plan area goals and objectives for public investment and economic development include the following:

- Supports existing businesses and new businesses ~~including~~ through implementation of public and private sector incentives, investments and partnerships.
- A strong and unified identity communicated through streetscape design elements.
- Spaces for gathering and other places that celebrate the strength of community and family in the corridor.
- Public improvements and private development that create an attractive, distinctive identity for the area.
- Well-maintained streets, and bicycle and pedestrian facilities.
- Enhanced access to parks and the creation of gathering spaces that are accessible to all community members.

Analysis

The potential investments recommended by this Plan were identified through discussions with City staff, the Planning Commission, City Council, the CAC, and members of the public. The public investments were identified through the Gap Analysis Addendum included as Appendices 4 and 6 and are described below.

Recommendations

In addition to the public transportation investments described in Section 3, the following public investments related to economic development and catalytic projects are recommended.

Establish a Main Street Program

Main Street programs or organizations are set up to support business districts, often historic main streets, in many cities. It is not uncommon for large cities to have multiple organizations focusing on different corridors or commercial neighborhoods. Some programs are administered by a municipality while others are non-profit organizations operating independently. Main Street programs may act similarly to chambers of commerce but with a focus expanded beyond business success to include additional community values ranging from aesthetics and cleanliness to wayfinding and event hosting. The establishment of a Main Street Program requires a responsible entity (typically public or non-profit) and a funding mechanism.

Generally, Main Street programs are operated by a volunteer board of directors and four committees representing each of the four points of the Four Point Approach. ™ The City would likely need to provide staff support for the launching and operation of a Main Street Program, at least in the short term.

Create an Economic Development Program

A program and/or staff member focused on identifying economic development opportunities and strategies for the community will be a critical next step toward focusing revitalization efforts. The creation of an Economic Development program with the City will require identification of funding sources or budgeting for these activities during the City budget cycle.

The City's budget does not currently include funding for an Economic Development program or staffing.

Develop Public Parking Lot(s)

In addition to the off-street parking revisions proposed in Section 2, the City may wish to be an active participant in providing district parking. This would allow property owners to more fully develop their properties while accommodating parking demands in the district. This initiative would require significant investment of both staff time and financial investment, as it would require that the City purchase sites for parking.

Under this initiative Keizer would purchase land in areas where parking could be provided for shared public use. In the early years public lots would take the standard form of surface parking. In the longer-term, surface parking could be converted to a parking structure. Public parking can become a key anchor for a "park once" district. It would allow for property owners to increase the use of their lands, bringing more business to the area. As the mix and variety of uses increases visitors can park their car in one location and visit several shops or offices close by rather than driving and parking for each individual visit they make.

The City does not currently have a funding mechanism to acquire properties for public parking lots.

Enhance Claggett Creek near Lockhaven Intersection

As Claggett Creek flows toward the intersection of Lockhaven and River Road it is contained within a roughly 65-foot-wide cement channel. It is largely hidden from view, faced by parking and the windowless sides of the adjacent buildings. The current treatment of the creek leaves it fenced off from public view. Natural features, especially waterways, can be harnessed to transform places.

Even without changing the buildings, the Clagget Creek site could be transformed. ~~Imagine a~~A more natural ~~looking~~ stream channel with trees, shade and water tumbling over rocks into small pools would enhance the area. It could have public plaza space and outdoor dining up against the creek instead of parking lots. Together, these changes could reinvent the site, creating a destination that caters to many daily needs that is a pleasant and desirable destination in and of itself.

Improvement of the Lockhaven/Claggett Creek area could facilitate the development of the Claggett Creek regional pathway identified in the Park Master Plan.

This opportunity would not be expected to be realized completely through public funding sources. Potential funding sources include grants for stormwater improvements. Projects such as this sometimes take the form of a public private partnership (PPP) where the public invests in an area for the benefit of both the property owner and the public at large. In return the property owner invests in the property with new development that meets public goals such as new housing, offices, or mixed-use buildings.

Create an Accessible Public Plaza

The Keizer Revitalization Plan suggests that the City invest in two plazas during the next 10 to 20 years. One potential opportunity site is already in public use. Walery Plaza, at the intersection of Cherry Avenue and River Road, is known by many simply as "Christmas Tree Plaza" because of the annual tree lighting ceremony.

Public plazas can become ~~focal points~~gathering places within a community, ~~enhancing people's appreciation of their city~~creating community and boost~~ing~~ commercial viability of nearby properties. These types of projects are

often funded through bonds, tax increment financing or through Parks System Development Charges (if the City were to choose to add them at some time).

Section 5. Implementation Strategies

Goals, Objectives, and Actions

Strategies to implement the goals and objectives of this Plan include policy, regulatory, public investment, and funding strategies. Revisions to Comprehensive Plan policies and the Keizer Development Code will support the desired mixed-use, multimodal development of the plan area and are incorporated into this Plan.

The Goals, Objectives, and Implementation Actions are organized into three categories:

- **"Do Now" Leading catalytic projects:** Infrastructure and open space projects that are necessary to catalyze and support new development along and adjacent to our arterial street fronts. These can include new programs such as the establishment of an economic development team, policy and zoning code changes, or a specific property acquisition. Some may be landmark, such as a recreation center or new plaza while others, such as livable street upgrade could be district-wide. These projects would be limited to within the project study area.

- **"Do When" Community infrastructure projects:** Improvements to an entire system that benefit all residents and employees in the area and those who come to visit. These will follow the catalytic projects and continue throughout implementation. Examples could include new transportation or infrastructure investments such as those programed in the TSP or additions of public open space as funds become available. These projects can extend beyond Keizer's core, recognizing that large systems such as transportation or stormwater have both local and citywide effects.

- **"Do If" Co-investment projects:** Projects directly tied to redevelopment on private properties. These projects are contingent upon partnerships with willing property owners and developers to move forward, usually through negotiated development agreements. Many cities use tax increment financing for these which is not currently available in Keizer. These types of projects would likely be limited to either directly along River Road or Cherry Ave.

Table ~~3~~2 below identifies the Goals, Objectives, and Actions; the action category; the timing category; and the department or agency with key responsibility for each action. Categories used below are:

- ED: Economic Development
- LU&UD: Land Use and Urban Design
- PI: Public Investment
- Trans: Transportation

Table 2 – Goals, Objectives, and Implementation Actions Matrix

Goals, Objectives, and Actions	Category	Ongoing	Do Now	Do If	Do When	Responsibility
Goal A: A Thriving, Diverse Corridor						
Objective 1. Zoning and land use regulations that provide opportunities for a variety of living-wage jobs.						
Rezone to increase depth of commercial/mixed-use zone from the street creating opportunities for parcel assemblage	LU&UD		X			City Planning
Rezone selected residential locations to commercial or mixed-use types	LU&UD		~~X~~	X		City Planning

Goals, Objectives, and Actions	Category	Ongoing	Do Now	Do If	Do When	Responsibility
Modify Zoning Code with efficiency measures to allow higher-intensity development and more building types in commercial/mixed-use zones	LU&UD		X			City Planning
Objective 2. A range of goods and services for all.						
Develop zoning standards to promote "neighborhood commercial" feel	LU&UD		X			City Planning
Modify zoning to pro-actively support mixed use development	LU&UD		X			City Planning
Modify Zoning Code with efficiency measures	LU&UD		X			City Planning
Objective 3. Supports existing businesses and new businesses through implementation of public and private sector incentives, investments and partnerships.						
Establish a Main Street Program	ED			X		Chamber, new non-profit or City
Create ~~staff~~ economic development ~~position/department~~program	PI/ED				X	Mayor and Council
Streamlining public process for permitting and approvals	PI/ED	X				City Planning
Tax Increment Financing (Urban Renewal) or other funding mechanisms	PI			X		Mayor and City Council
Develop public parking lot(s)	PI			X		Mayor and City Council
Share in off-site improvements	PI				X	Mayor and City Council
Objective 4. A variety of housing for the range of community member incomes, needs, and preferences.						
Allow more small-scale housing development in the corridor	LU&UD		X			City Council and Planning Commission
Modify Zoning Code with efficiency measures	LU&UD		X			City Planning
Rezone RS properties to RM in select locations	LU&UD				X	City Planning
Objective 5. The creation of centers along the corridor, with transitions between them.						
Establish a Main Street Program	ED			X		Chamber, new non-profit or City
Utilize modified streetscape design	PI		X			City Public Works
Modify lot coverage and landscaping standards to allow more intensity in centers	LU&UD		X			City Planning
Develop Design Guidelines and Standards in centers	LU&UD		X			City Planning
Require parking to the side or rear in centers	LU&UD		X			City Planning
Reduce front setbacks in centers	LU&UD		X			City Planning
Reduce minimum parking in centers	LU&UD		X			City Planning
Objective 6. A strong and unified identity communicated through streetscape design elements.						
Update streetscape and urban design standards	LU&UD				X	City Planning, City Engineering

Goals, Objectives, and Actions	Category	Ongoing	Do Now	Do If	Do When	Responsibility
Objective 7. Spaces for gathering and other places that celebrate the strength of community and family in the corridor.						
Develop standards or guidelines for open spaces in new development (Design Standards), potentially including incentives	LU&UD		X			City Planning
Daylight / Enhance Claggett Creek near Lockhaven	PI/ED			X		PPP
Identify and design 3 new public space (i.e. plazas)	PI/ED				X	Mayor and City Council, PPP
Goal B: Thoughtful Growth and Redevelopment						
Objective 1. Development (uses and design) that is consistent with Keizer's small-town character.						
Develop Design Guidelines and Standards	LU&UD		X			City Planning
Develop zoning standards to promote "neighborhood commercial" feel	LU&UD		X			City Planning
Objective 2. A mix of uses that makes more efficient use of existing and new infrastructure.						
Employ efficiency measures	LU&UD		X			City Planning
Modify zoning to pro-actively support mixed use development	LU&UD		X		X	City Planning
Objective 3. Proximity and mix of uses in development centers that community members can walk, roll, or drive (short distances) to access.						
Modify zoning to pro-actively support mixed use development	LU&UD		X		X	City Planning
Develop zoning standards to promote "neighborhood commercial" feel	LU&UD		X		~~X~~	City Planning
Objective 4. Public improvements and private development that create an attractive, distinctive identity for the area.						
Develop Design Guidelines and Standards	LU&UD		X			City Planning
Streetscape improvements	PI				X	City, PPP
Open Space investments (such as plazas and Claggett Creek)	PI/ED	X			X	Parks Dept, PPP
Goal C: Excellent Transportation and Public Facilities						
Objective 1. A balanced set of transportation options, including transit, walking, bicycling, and driving that provide good access to development centers and public spaces in the corridor.						
Streetscape improvements	PI, Trans		X			City, PPP
Implement Wheatland improvements from TSP	PI			X		City, PPP
Develop low-stress alternative routes for cycling	PI, Trans				X	City, PPP
Objective 2. Transit access focused at development centers in the corridor.						
Arrange for buses to use extra space in parking lots for layovers and boarding	ED			X		Cherriots / Landowners
Objective 3. Enhanced safety and minimal conflicts between different types of transportation modes.						
Modify code to require rear access and/or shared entries for properties fronting arterials	LU&UD		X			City Planning
Objective 4. Well-maintained roads that control and mitigate traffic congestion.						
Develop funding strategy for upgrades noted in the TSP	PI				X	City Council
Objective 5. Well-maintained streets, and bicycle and pedestrian facilities.						
Expand bicycle and pedestrian infrastructure	PI, Trans				X	City, PPP
Develop low-stress alternative routes for cycling	PI, Trans				X	City, PPP

Goals, Objectives, and Actions	Category	Ongoing	Do Now	Do If	Do When	Responsibility
Complete bicycle lanes or a multi-use path along full length of River Road	PI, Trans		X			City Council
Develop separated bicycle facilities for extra safety to attract wider range of riders.	PI, Trans				X	City Council
Perform Safety Audit of River Road, Cherry Avenue and the arterial and collector intersections to at least two blocks beyond.	Trans		X			City Planning
Perform pedestrian crossing study to identify locations for safe enhanced pedestrian crossings between signalized intersections	Trans		X			City Planning
Objective 6. Friendlier environments and slower traffic speeds that help facilitate walking and rolling on River Road and Cherry Avenue, through landscaping, crossings, and fewer driveways.						
Respond to results of safety audit and pedestrian crossing study with elements such as, improved crossings, modified signal priorities, corrected driveway grades, ...or other treatments identified.	PI, Trans				X	City
Objective 7. Enhanced access to parks and the creation of gathering spaces that are accessible to all community members.						
Include transit, bike, walk and ADA facilities into plaza design.	LU&UD, PI			X		City
Develop low-stress alternative routes for cycling that connect commercial and recreation destinations	Trans				X	City

~~*Categories:*~~

- ~~ED: Economic Development~~
- ~~LU&UD: Land Use and Urban Design~~
- ~~PI: Public Investment~~
- ~~Trans: Transportation~~

Land Use and Urban Design

This Plan recommends adoption of the Plan and Code amendments included in Appendix 5 to implement the "Do Now" Land Use goals, objectives, and actions above.

Comprehensive Plan

- Comprehensive Plan Map Amendments to reflect the proposed zoning map amendments.
- Comprehensive Plan Text amendments to reference the RCOD, delete the McNary Activity Center, and add the Keizer Revitalization Plan as a Comprehensive Plan document.

Development Code

- Development Code Amendments to adopt the River-Cherry Overlay District (RCOD~~)~~).
- Development Code Amendments to support RCOD implementation.
- Zoning Map amendments to apply the RCOD Overlay and to rezone commercial to Mixed Use.

Transportation System Plan

- River Road cross section alternative amendment to incorporate shared-use path.
- Identified parallel Low Stress “Neighborhood Greenways” as part of Bicycle System.
- Access Spacing Standards along River Road amendment to reduce number of conflicting driveways.

Transportation Improvements

The recommended transportation improvements must be assessed for expected level of effort, costs, and likely results then sorted by priority and feasibility.

Public Investments

The recommended public investments must be assessed for expected level of effort, costs, and likely results then sorted by priority and feasibility. Recommendations in Section 4 require identification of a funding source and responsible party.

Next Steps

Future steps will include:

- Assessment of recommended transportation improvements for expected level of effort, costs, and likely results, then sorted by priority and feasibility.
- Assessment of recommended public investments for expected level of effort, costs, and prioritizing for funding.
- Funding proposed transportation improvements and public investments through a combination of public and private sources.

Section 6. Potential Funding Sources

This section discusses potential funding sources for public investments (either catalytic investments or investments that support proposed development) and private investments (funds that could contribute to a public private partnership).

Funding Public Investments

As described in Section 4, public investments can be catalytic for private development. These investments are typically funded by the jurisdiction through a number of programs. There are also scenarios where private business owners fund infrastructure improvements if there is a direct benefit to them.

- **Urban Renewal:** Urban Renewal funds are generated through tax increment financing and can be spent within the area to improve economic conditions and generate private sector investment. The City has used urban renewal funds successfully in the past.

- **Local or Business Improvement Districts (LID or BID):** BIDs can be formed to share the costs of infrastructure that benefits the entire district, such as a shared parking facility. This model could be used solely with private owners, or with City involvement. A locally-developed BID would place most of the responsibility and costs in the hands of some self-motivated property owners.

- **Parking Management Fund:** A parking management fund would be supported through charges applied to on-street spaces. This type of activity is common in cities with significant stores of on-street parking. It may not be applicable to Keizer due to the prevalence of private off-street parking and limited amount of on-street spaces. These funds are also supported through charging for parking at public sites, but such a charge may limit the parking lot's ability to attract parkers.

- **Planning:** The City can also develop a long-term plan whereby existing revenue streams are budgeted for future acquisition and development of properties for public infrastructure investments, such as plazas or public parking facilities.

- **Frontage Improvements by Development**: New development or redevelopment may trigger the dedication and construction of frontage improvements. Ensuring that policy documents, such as the TSP, and the KDC are up-to-date and include provisions for dedication and construction will assist the City with incremental improvements to its public infrastructure.

- **Grants:**
  - **Statewide Transportation Improvement Program (STIP):** ODOT allocates funding for this program. As described in the Keizer Transportation System Plan, "For the City of Keizer to receive such funding, the City's project(s) would be selected and identified in the Salem Keizer Area Transportation Study (SKATS) Transportation Improvement Program (TIP)."
  - State Transportation Enhancement funds and Bicycle/Pedestrian grants
  - **Stormwater grants** for green street treatments that provide pedestrian and street amenities
  - **Economic Development** grants available through Marian County

- **Staff time:** Even if they are funded, most public infrastructure projects will require project management and oversight by staff. Staff time is part of the municipal budget, but also represents public investment.

Encouraging Private Development

There are also a number of tools to encourage or incentivize private development through fee waivers, tax abatements, land assembly, and other financial participation.

- **Pre-Development Assistance:** This may include modest grants or loans to assist with pre-development soft costs such as project feasibility studies, design and engineering documents, site and environmental studies. This assistance can help smaller developers and property owners decide if development is feasible.

- **SDC and Fee Waivers/Subsidy:** This is one of the most direct ways that local jurisdictions can reduce the costs of new development and the viability gap. System Development Charges (~~SDC's~~SDCs) and other permitting and process fees can add up to a significant expense to the developer.

- **Land Acquisition and Control:** Land acquisition ensures that a public agency has control over the site and that it will be used to meet public goals. Control of the land allows the agency to dictate what will occur there and is an asset which can be used as an incentive for developers.

- **Equity Gap Financing:** Gap financing usually takes the form of grant or loan that is directly applied to help overcome the viability gap, most commonly for affordable housing. Demonstration of local funding commitment can also help non-profits secure tax credits or other state funding. A source of funding must be identified to provide this financing, and amounts may need to be sizable in order to make a difference on large projects.

- **Tax Exemptions:** Tax exemptions provide an on-going reduction in operating costs in return for meeting specified public goals. Affordable housing projects can utilize tax savings to help defray the often-increased cost of staffing at these properties.

- **Vertical Housing Tax Credit Program:** This State program provides a partial property tax exemption to mixed-use commercial / residential developments within locally-adopted Vertical Housing Zone. The exemption varies in accordance with the number of residential floors on a project with a maximum property tax exemption of 80 percent over 10 years. An additional property tax exemption on the land may be given if some or all of the residential housing is for low-income persons (80 percent of area median income or below).

Potential Funding Matrix

The key to implementing the recommended public improvements will be identifying and/or pursuing funding sources. Table 3 identifies potential funding sources for each of the recommended public investments. In some cases, several tools may need to be combined to fully fund the project.

Table ~~3.~~3. Potential Funding Matrix

Recommended Public Investment	Funding Mechanism						
	Urban Renewal	LID/BID	Parking Management Fund	Planning	Frontage Improvements by Development	Grants	Staff Time
Modified River Road Streetscape	■	■			■	■	
Wheatland Road Intersection	■				■	■	
Manzanita Street and McNary Road Intersection	■				■	■	
Parallel Bicycle Network	■			■		■	
Road Safety/Mobility Audit							■
Main Street Program							■
Enconomic Development Program						■	■
Public Parking Lot(s)	■	■	■	■			
Public Plaza	■			■		■	

Recommended Public Investment	Potential Funding Mechanism						
	Urban Renewal	LID/BID	Parking Mgmt Fund	Planning	Frontage by Dev	Grants	Staff Time
Modified River Road Streetscape	■	■			■	■	
Wheatland Road Intersection	■				■	■	
Manzanita Street and McNary Road Intersection	■				■	■	
Parallel Bicycle Network	■			■		■	
Road Safety/Mobility Audit							■
Main Street Program							■
Economic Development Program						■	■
Public Parking Lot(s)	■	■	■	■			
Enhance Claggett Creek near Lockhaven Intersection					■	■	
Public Plaza	■			■		■	

Section 7. Appendices

The Keizer Revitalization Plan has been adopted as an addition to the Keizer Comprehensive Plan. Therefore, the recommendations in the Plan are binding and provide policy guidance for future land use and transportation actions within the Plan area. The Appendices of the Plan ~~have not been~~are adopted,~~.~~and ~~They~~ are included as background materials for this planning project and process. ~~They~~However, they are not binding and do not have policy or regulatory authority. They portray steps in the development of the Plan.

Appendix 1. Goals and Visions for Revitalization

Appendix 2. Existing Conditions

Appendix 3. Market Analysis

Appendix 4. Gap Analysis and Implementation Strategies

Appendix 5. Background for Comprehensive Plan, Development Code, and Zoning Map Amendments

Appendix 6. Public Investments

Appendix 7. Mobility Impact Assessment

Appendix 8. Multimodal Transportation Assessment

Appendix 9. Overview of Public Engagement

2.130 RIVER-CHERRY OVERLAY DISTRICT (RCOD)

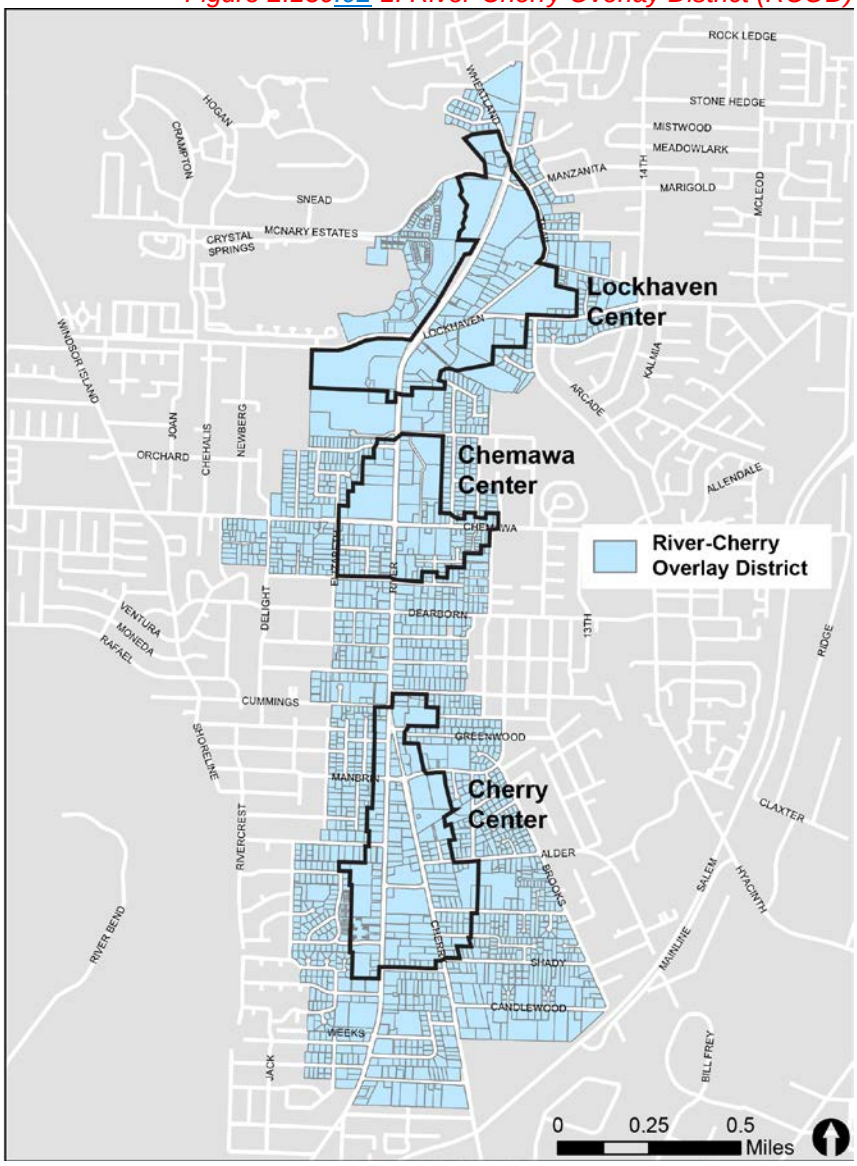
2.130.01 Purpose

The purpose of the River-Cherry Overlay District (RCOD) is to implement the land use principles of the Keizer Revitalization Plan, dated ___ 2019. The RCOD is intended to promote efficient use of land and urban services; create a mixture of land uses that encourages employment and housing options in close proximity to one another; and encourage pedestrian-oriented development. This zone is intended to be accessible to pedestrians and bicyclists, as well as people using automobiles.

2.130.02 Boundaries of the River-Cherry Overlay District

The boundaries of the RCOD, and boundaries of the three Centers sub-districts, are shown in Figure 2.130-1.

Figure 2.130.02-1: River-Cherry Overlay District (RCOD)



2.130.03 Applicability

A. The provisions of this Section shall apply to all lands located within the boundaries of the RCOD illustrated in Figure 2.130-1. The three Centers sub-districts of the RCOD are illustrated in Figure 2.130-1 and are established as follows:

1. Lockhaven Center – Extends from approximately McNary Heights Drive N at the north to Rose Park Lane NE at the south; and from approximately Lakefair Place N at the west to Crestwood Court NE at the east. The intersection of River Road N and Lockhaven Drive N is intended to be the center of activity within Lockhaven Center.

2. Chemawa Center – Extends from approximately Claggett Street NE at the north to James Street NE at the south; and from approximately Elizabeth Street N at the west to Bailey Road NE at the east. The intersection of River Road N and Chemawa Road N is intended to be the center of activity within Chemawa Center.

3. Cherry Center – Extends from approximately Dietz Avenue NE at the north to Bever Drive NE at the south; and from approximately 3rd Avenue N at the west to Partridge Lane NE at the east. The intersection of River Road N and Cherry Avenue NE is intended to be the center of activity within Cherry Center.

B. The provisions of the RCOD shall apply as follows.

1. They shall apply to all new construction or major renovation, where "major renovation" is defined as construction valued at 25% or more of the assessed value of the existing structure and parcel of land on which it is located, unless otherwise specified by the provisions in this Section, and with the following exceptions.

   a. Interior remodels which do not change the exterior of the building or increase its floor area or building footprint.

   b. Replacement of equipment needed to operate an existing use, such as but not limited to commercial kitchen equipment, HVAC equipment, plumbing or electrical fixtures.

   c. Maintenance required to maintain the structural integrity of the building such as but not limited to replacement of a roof.

~~4.~~2. Applications for new construction or major renovation in the RCOD are subject to City review as provided in KDC Section 3.101, and to the standards and guidelines in Sections 2.130.040 – 2.130.10.

~~B.~~C. The RCOD replaces selected development standards in the underlying zoning districts, as set forth in Section 2.130.05.

2.130.04 Uses

A. Permitted Uses

1. The ~~following~~ uses in Table 2.130.04-1 are permitted in the Mixed Use (MU) zone within the RCOD. All other zones remain unchanged.

2. Uses that are identified as permitted in the MU zone (Section 2.107.02-2.107.04) are permitted in the MU zone within the RCOD, EXCLUDING commercial parking lots that are surface lots.

3. Uses that are not listed in Table 2.130.04-1 and that the Zoning Administrator determines to be similar to the uses in Table 2.130.04-1 or consistent with the RCOD Purpose statement (Section 2.130.01) are permitted.

Table 2.130.04-1: Uses Permitted in the RCOD

Use Category	***Permitted*** P = Permitted outright S = Permitted subject to Special Use provisions C = Permitted conditionally	***Notes***
Residential		
Household Living	P/S	Such as buildings with one or more dwelling units. Special Use provisions apply to shared housing facilities (Sections 2.403 and 2.130.05.C), zero side yard dwelling units (Section 2.404), cottage clusters (Section 2.432), and home occupations (Section 2.407).
Group living	P/S	Such as residential homes and facilities. Special Use provisions apply to nursing and personal care facilities (Section 2.431).
Commercial		
Commercial Lodging	P/S	Such as hotels and motels. Special Use provisions apply to bed and breakfast establishments (Section 2.408).
Commercial Recreation and Entertainment	P	Such as athletic clubs and movie theaters.

Use Category	***Permitted*** P = Permitted outright S = Permitted subject to Special Use provisions C = Permitted conditionally	***Notes***
Commercial Parking	P	Only parking structures.
Day Care Facility	P	
Durable Goods Sales	P	Such as home improvement, home furnishing, and appliance stores.
Eating and Drinking Establishments	P	
Health Care Offices	P	
Marijuana Facilities	S	Such as medical marijuana facilities and marijuana retailers. Special Use provisions apply (Section 2.433).
Offices	P/S	Such as finance, legal, and other professional businesses. Special use provisions apply to veterinary services (Section 2.414)
Retail Sales and Services	P/S	Such as food, apparel, hardware, and auto supply stores. Special Use provisions apply to used merchandise stores (Section 2.417), mobile food vendors (Section 2.434), funeral services (Section 2.415), and adult entertainment businesses (Section 2.418). Additional development standards apply to auto-oriented sales and services in RCOD Centers (Section 2.130.09(B)(4)).
Quick Vehicle Servicing	C	Such as gasoline service stations. Service stations consistent with Section 2.110.04.C are Conditional Uses. Additional development standards apply to auto-oriented services in RCOD Centers (Section 2.130.09(B)(4)).

Use Category	***Permitted*** P = Permitted outright S = Permitted subject to Special Use provisions C = Permitted conditionally	***Notes***
Industrial		
Light Manufacturing	C	Craft industries are Conditional Uses subject to the provisions in Section 2.421.
Institutional		
Assembly Facilities	P/S	Such as social and civic organizations. Special Use provisions apply to places of worship (Section 2.423).
Community Services	P	Such as public administration buildings.
Educational and Research Facilities	P	Such as schools, vocational schools, educational services, and laboratories.
Medical Centers	P	Such as clusters of health care offices (not a hospital).
Infrastructure/Utilities		
Parks and Open Space	P	Such as parks, plazas, playgrounds, and community clubs.
Public Safety Facilities	P/C	Such as police stations. Fire and ambulance stations are Conditional Uses subject to general Conditional Use criteria in Section 3.103.03.
Public Utility Structures	P/S	Such as substations. Special Use provisions apply to electrical substation (Section 2.426).
Transportation Facilities	S/C	Special Use provisions apply to transit facilities (stops) (Section 2.305). Transit stations (centers) are Conditional Uses subject to the provisions in Section 2.429.
Wireless Communications	S	Special Use provisions apply (Section

Use Category	***Permitted*** P = Permitted outright S = Permitted subject to Special Use provisions C = Permitted conditionally	***Notes***
Facilities		2.427).

B. Prohibited Uses

The following uses are prohibited in the Mixed Use zone of the RCOD. This prohibition does not apply to any legally established use as of the date of the adoption of this Ordinance.

1. Farm uses
2. Rendering, processing, and/or cleaning of food products for wholesale use
3. Outdoor storage or display whose impacts are not mitigated for consistent with Section 2.107.05.B.7
4. Camping and overnight parking in parking lots
5. Hospitals

2.130.05 Dimensional and Development Standards

The following subsections indicate dimensional standards and development standards required in the RCOD. These standards supplement, and in some cases replace, the development standards in the underlying zoning districts. Where the standards set forth in this Section conflict with standards in the underlying zoning districts, the RCOD development standards set forth in this Section shall control.

Section 2.130.09 provides dimensional and development standards for Centers. For properties located within Centers, the standards of Section 2.130.09 shall supersede the standards of this section.

A. Dimensional Standards

1. Minimum Lot Dimension Requirements

Table 2.130.05-1: Minimum Lot Size and Average Width Standards, by Development Type

		Development Type			
Zone	Dimension	Single Family Attached	Single Family Detached	Duplex	Multi-Family
MU	Lot Size	2,000 sq. ft.	3,000 sq. ft.	4,000 sq. ft.	None *(use density only)*

		Development Type			
Zone	Dimension	Single Family Attached	Single Family Detached	Duplex	Multi-Family
	Average Width	20 feet	30 feet	40 feet	*(defer to underlying zone)*
RM	Lot Size	2,500 sq. ft.	3,000 sq. ft.	4,000 sq. ft.	None *(use density only)*
	Average Width	25 feet	30 feet	40 feet	*(defer to underlying zone)*
RS	Lot Size	3,000 sq. ft.	3,500 sq. ft.	5,000 sq. ft. (1)	N/A
	Average Width	30 feet	35 feet	50 feet (1)	N/A

(1) Duplexes are only permitted on corner lots, per Sections 2.102.03 and 2.403.

B. Development Standards

1. Minimum Landscaping and Maximum Lot Coverage

The minimum landscaping and maximum lot coverage standards are provided in the following table. Minimum landscaping for a property shall include all required yards. Landscaped areas shall be landscaped as provided in Sections 2.309 and 2.130.06. Maximum lot coverage shall include all buildings, accessory structures, and paved parking areas.

Table 2.130.05-2: Minimum Landscaping and Maximum Lot Coverage Standards

Zone	Minimum Landscaping	Maximum Lot Coverage
MU	Commercial: 10% Mixed Use: 15% Residential: 15%	Commercial: 90% Mixed Use: 85% Residential: 85%
RM	15%	85%
RS	15%	85%

2. Residential Density

The minimum and maximum density for subdivisions, partitions, multi-family or any residential development shall be as follows:

Table 2.130.05-3: Minimum and Maximum Residential Density Standards

Zone	Minimum Density (1)	Maximum Density (1)
MU	12 units per acre (2)	28 units per acre
RM	8 or 10 units per acre (3)	14 or 24 units per acre (3)
RS	6 units per acre	10 units per acre

(1) Accessory residential housing units are included in the minimum density calculations in the RM and MU zones but are not included in the maximum density calculations in the RM and MU zones. Accessory residential units are not included in minimum or maximum density calculations in the RS zone.

(2) There shall be no minimum residential density requirement for multi-family development within a mixed use building.

(3) For property designated Medium Density in the Comprehensive Plan, the minimum density shall be 8 units per acre; the maximum density shall be 14 units per acre. For property designated Medium-High Density in the Comprehensive Plan, the minimum density shall be 10 units per acre; the maximum density shall be 24 units per acre.

3. Off-Street Automobile Parking Requirements

a. Applicability

i. The provisions of this Section shall apply to new development or redevelopment in the RCOD, as defined in Section 2.130.03.

ii. A change in the use of a building or structure from one permitted use to another permitted use shall not require additional parking spaces otherwise required for new development or redevelopment under the provisions of Section 2.130.05.3.b or of Section 2.303.

b. Off-Street Automobile Parking Requirements

Off-street parking shall be provided in the amount not less or more than the minimum and maximum amounts listed below.

Table 2.130.05-4: Minimum and Maximum Off-Street Parking Requirements

LAND USE ACTIVITY	SPACES REQUIRED
Recreation Facility	Minimum: 1 space per 300 square feet Maximum: 1 space per 133 square feet
~~General Offices~~	~~1 space per 500 square feet~~[MH1]
Personal Services	Minimum: 1 space per 400 square feet Maximum: 1 space per 233 square feet
Retail	Minimum: 1 space per 400 square feet Maximum: 1 space per 200 square feet
Eating/~~d~~Drinking Establishment	Minimum: 1 space per 200 square feet Maximum: 1 space per 83 square feet

LAND USE ACTIVITY	SPACES REQUIRED
Single Family and Duplex	Minimum: 1 per dwelling unit Maximum: 3 spaces per dwelling
Multi-family types	Minimums: 1 space per 1 bedroom unit or studio OR 1.25 spaces per 2 bedroom unit OR 1.5 spaces per 3 or more bedroom units Maximums: 1.5 space per 1.5 bedroom unit or studio OR 2.25 spaces per 2 bedroom unit + 1.5 spaces for every 10 additional units OR 2.25 spaces per 3 or more bedroom units + 1.5 spaces for every 10 additional units

All other land use activities shall be subject to the parking requirements of Section 2.303.06.A.

c. Allowances for parking reduction in Section 2.303.06.B and parking increase 2.303.06.C shall apply in the RCOD. Within designated Centers, additional reductions to required off-street parking may also be provided per Section 2.130.09.B.2.

4. Flexibility for Mixed Use Development

The following provisions are intended to provide additional flexibility for mixed use development within the RCOD. These provisions shall apply if an applicant wishes to consolidate one or more parcels zoned Mixed Use (MU) with one or more adjacent and contiguous residentially-zoned parcels. The residentially-zoned portions of the consolidated site may develop with any use permitted in the MU zone, provided the following requirements are met:

a. One new housing unit shall be provided for each existing housing unit that is displaced by the redevelopment of the site.

b. Buffering and screening shall be provided between any multi-family, mixed use, or non-residential uses developed on-site and any adjacent residentially-zoned parcel, pursuant to KDC Section 2.309.05.

C. Standards for Accessory Residential Housing

Accessory residential housing in the RCOD is subject to the following development standards. Where the standards set forth in this Subsection conflict with standards in Section 2.403 (Shared Housing Facilities), the standards set forth in this Subsection shall control.

1. Number of Dwelling Units. Up to two (2) accessory housing units are permitted per lot. If two units are proposed, one (1) of the units shall be attached. If one unit is proposed, that unit may be attached to, or detached from the primary residence.

2. Parking. No additional parking is required for the accessory housing unit if only one accessory unit is proposed. One additional parking space is required only for a second accessory unit. Existing parking required for the primary residence must be maintained or replaced on-site following development of accessory housing units.

2.130.06 Landscaping Standards

The following subsections indicate landscaping standards required in the RCOD. These standards supplement, and in some cases replace, the landscaping standards in KDC Section 2.309. Where the standards set forth in this Section conflict with standards Section 2.309, the RCOD development standards set forth in this Section shall control.

A. Purpose

The purpose of the landscaping standards in this Section is to provide enhanced landscape design for sites within the RCOD, in order to create attractive street frontages that enhance the appearance of the district and provide a pleasant experience for pedestrians. The purpose is also to balance the reduced requirements for minimum landscaped area in the district, per Section 2.130.05.B.1. Landscaping standards in the RS zone remain unchanged

B. Landscape Standards

1. All front yards and all side yards abutting a street either shall be landscaped according to the following standards or shall be occupied by pedestrian amenities (e.g., plaza, outdoor seating, outdoor eating areas).

   a. All street-facing facades shall have landscaping along their foundation.

   b. The landscaped area shall be at least 3 feet wide.

c. An evergreen shrub meeting the planting standards of Section 2.309.06.H shall be planted for every 3 lineal feet of foundation.

d. Where landscaped areas in front yards and in side yards abutting a street are a minimum of 10 feet wide, trees shall be planted for every 30 lineal feet of building foundation.

e. Groundcover meeting the planting standards of Section 2.309.06.I shall be planted in the remainder of the landscaped area.

f. Plants approved by the [Zoning Administrator] or on City-approved lists shall be used.

g. Exceptions. These standards do not apply to properties with front yard setbacks that are less than 10 feet.

2. The following planting standards shall apply to all required landscape areas except for front yards or side yards abutting a street, as provided in subsection 1.

a. Trees – A minimum of one (1) tree shall be planted for every 500 square feet of required landscape area. Evergreen trees shall have a minimum height of 6 feet and deciduous trees shall have a minimum caliper of 2 inches and a minimum height of 8 feet at the time of planting.

b. Shrubs – One (1) evergreen shrub having a minimum mature height of 4 feet shall be provided for every 75 square feet of required landscape area.

c. Ground cover – Ground cover meeting the standards of Section 2.309.06.I shall be planted in the landscaped area not occupied by required trees or shrubs.

d. Plants approved by the Zoning Administrator shall be used.

e. Rock, bark, or similar landscape cover materials may be used for up to 25% of the required landscape area. Hardscape treatments may be substituted upon approval of the Zoning Administrator.

2.130.07 Access Standards

A. Purpose

The purpose of managing access points onto public streets, especially onto collectors and arterials, is to reduce conflicts between users of the transportation system, to increase safety, to aid in the flow and mobility of traffic by all modes, and to create a more welcoming pedestrian environment.

B. Applicability

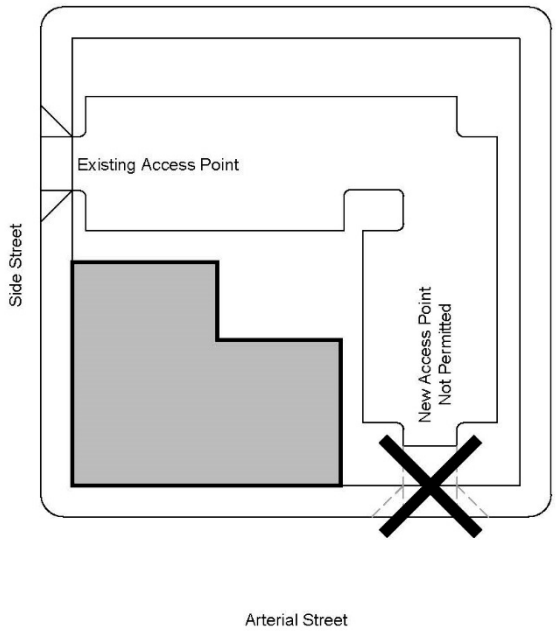
In addition to the general applicability standards established in 2.130.03(B), the provisions of this Section shall apply to development that involves a change of use where a site's required off-street parking area will increase by more than 10% of the existing area, the number of parking spaces will increase by more than 15% of the existing number of parking spaces, or more than 20% of a site's existing parking area will be re-paved/resurfaced.

C. Access Standards

Street functional classifications and spacing standards referred to in the following provisions are established in the currently adopted City of Keizer Transportation System Plan.

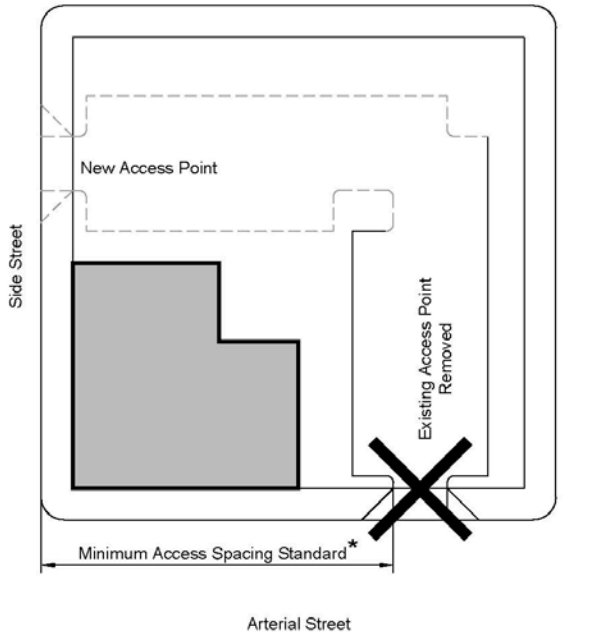
1. Standard A – A property fronts an arterial and a side street, which is not classified as an arterial, and has its existing access point on the side street. The access point on the side street shall be maintained and a new access point on the arterial is not permitted.

Figure 2.130.07-1: Access Standard A



2. Standard B – A property has a single existing access point on an arterial street and also fronts a side street that is not an arterial or an alley. If the existing access point has substandard spacing from the nearest intersection or driveway, the existing access point shall be closed and a new access point on the side street shall be established.

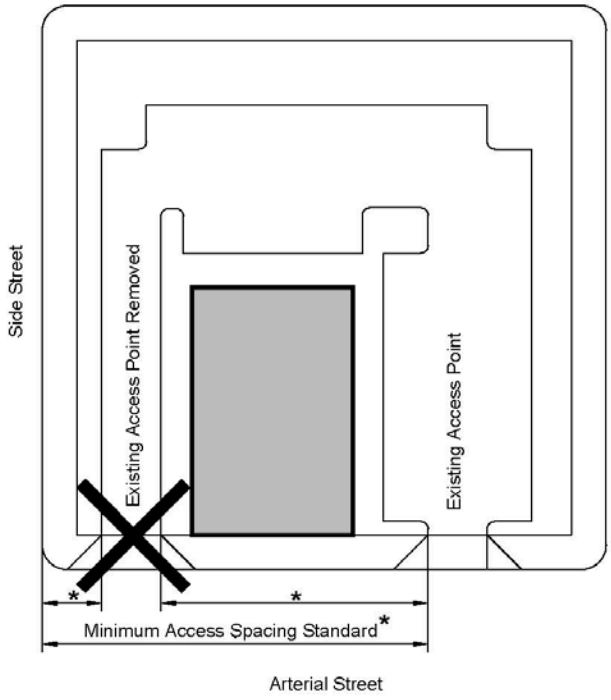
Figure 2.130.07-2: Access Standard B



* Substandard spacing could potentially exist:
1) Between access points (driveways) on a site and street intersections.
2) Between access points (driveways) on a site and access points (driveways) on neighboring sites.

3. Standard C – A property has two or more existing access points on an arterial. All access points with substandard spacing shall be closed, while a minimum of one access point may be maintained. If all existing access points have substandard spacing from the nearest intersection or driveway, the access point with spacing that is closest to meeting spacing standards shall be maintained.

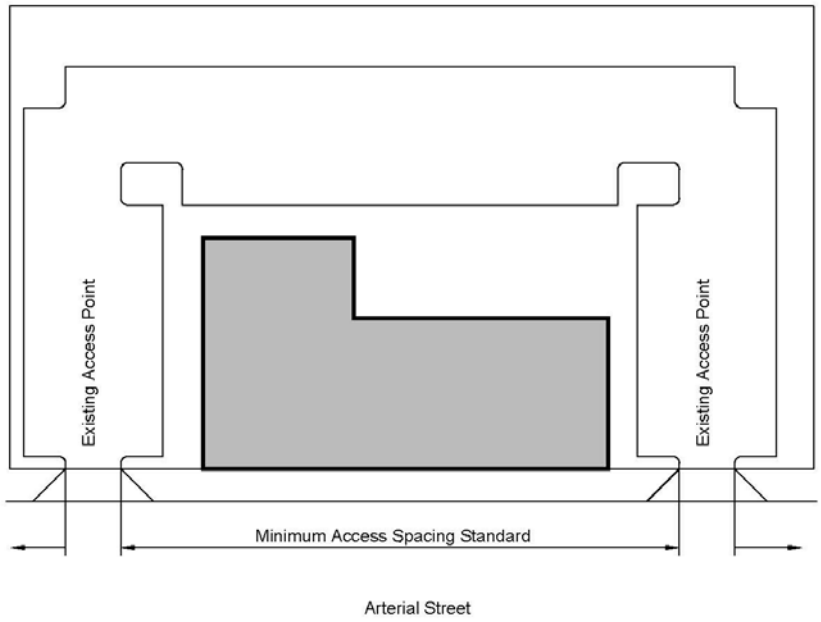
Figure 2.130.07-3: Access Standard C



* Substandard spacing could potentially exist:
1) Between access points (driveways) on a site with multiple driveways on a frontage.
2) Between access points (driveways) on a site and street intersections.
3) Between access points (driveways) on a site and access points (driveways) on neighboring sites.

4. Standard D – A property has one or more access points on an arterial and all access points have sufficient spacing from the nearest intersection or driveway. The access points may be maintained.

Figure 2.130.07-4: Access Standard D



5. Exceptions. Where there are safety or traffic operations issues identified in a traffic impact analysis prepared consistent with Section 2.301.04, which are the result of substandard access spacing, the Director may require one or more of the following:

   a. A limit on the number, location, and/or turning movements of existing and new proposed connections to a City street.

   b. A driveway to extend to one or more edges of a parcel to allow for future extension and inter-parcel circulation as adjacent properties develop.

   c. A recorded access easement for future joint use of the approach and driveway as the adjacent property(ies) develop(s).

2.130.08 Master Plans in Lockhaven Center

A. Purpose

The purpose of requiring Master Plans within the Lockhaven Center is to allow for a mixture of intensive land uses, emphasizing employment opportunities, housing, transit and pedestrian facilities, and circulation; to allow some flexibility in how sites are developed; and to ensure coordination between the development of different sites within the Center.

B. Applicability

The provisions of this Section shall apply to development sites that are: (1) located within the Lockhaven Center, as identified in Figure 2.130.02-1 ~~X~~; (2) larger than 4 acres; and (3) zoned Mixed Use (MU).

C. Review Procedure

All development over 4 acres within the Lockhaven Center is subject to Type III review as provided in KDC Section 3.101, and shall be required to submit a Site Master Plan for approval as part of the application process.

Type III actions follow the procedures found in Section 3.204.02. Staff has an advisory role. The Zoning Administrator shall make a recommendation to the Planning Commission, which then makes a recommendation to the City Council for public hearing and decision bypassing the Hearings Officer. Public notice and a public hearing are provided. Section 3.202 lists the notice requirements. Section 3.205 and 3.206 sets forth the hearings process.

The elements of a Site Master Plan shall include, but are not limited to, the following:

1. A master plan map showing the location of land uses, open spaces, and pedestrian and vehicular circulation and a written explanation showing how these features achieve the purpose of the Keizer Revitalization Plan.

2. For any project for which the projected average daily traffic will exceed 250 vehicle trips per day, in accordance with the Institute of Traffic Generation Manual, a traffic impact analysis will be required and a written explanation how negative impacts will be mitigated.

D. Development Standards

Approval of a Master Plan for the Lockhaven Center area shall require compliance with the following development standards:

1. Objective or Discretionary Track. The master plan shall either:

   a. Meet all applicable standards within the RCOD and Lockhaven Center, as provided by Sections 2.130.04 through 2.130.07,

Sections 2.130.08.D.2 through 2.130.08.D.3, and Sections 2.130.09 through 2.130.10, in addition to applicable standards within base zones; or

b. The Zoning Administrator may approve different development strategies, if the applicant can demonstrate that the master plan equally or better meets the purpose of the RCOD and the Keizer Revitalization Plan.

2. Mix of Uses and Housing Types.

a. Residential use shall occupy no less than 35% and no more than 65% of the building floor area on any property or a coordinated development on more than one property.

b. The Master Plan must identify at least two different housing types. The following are considered distinct housing types for purposes of meeting this standard:

i. Single family detached dwellings (with or without accessory residences) or residential homes

ii. Duplexes or single family attached dwellings

iii. Townhouses

iv. Cottage cluster development

v. Multi-family dwellings or residential care facility

vi. Manufactured dwelling park

3. Minimum Residential Density.
The minimum density for any residential development shall be 10 units per acre.

E. Conditions of Approval
The City may attach conditions to any development subject to Master Plan Review within Lockhaven Center to achieve the following objectives:

1. Transit Orientation. The development shall emphasize transit usage by residents, employees and customers. This may require:

a. Orienting building and facilities towards transit services.

b. Minimizing transit/auto conflicts.

c. Encouraging transit supportive uses.

d. Minimizing walking distance to transit stops.

e. Avoiding excess parking areas.

f. Encouraging shared parking and structures or understructure parking.

2. Pedestrian/Bicycle Circulation and Orientation. The development shall facilitate pedestrian/ bicycle circulation and orientation. This may require:

a. Providing efficient, convenient, and continuous pedestrian and bicycle transit circulation systems, linking developments within Lockhaven Center facilities, and surrounding development.

b. Separating auto and truck circulation and activities from pedestrian areas.

c. Pedestrian-oriented design.

d. Pedestrian amenities.

e. Pedestrian-scale building and site features.

f. Bicycle parking.

g. Outdoor lighting.

3. Coordination and Connectivity. Coordination of development within the Lockhaven Center area. This may require:

a. Continuity and/or compatibility of landscaping, circulation, access, public facilities, and other improvements.

b. Siting and orientation of land uses.

c. Consistency with development concepts adopted as part of the Keizer Revitalization Plan.

d. Frontage roads or shared access to provide connectivity to future development within the property or on adjacent property.

e. Non-road connections to adjacent sites and transportation facilities intended to provide direct connections to surrounding development as well as to other key destinations in the area.

4. Compatibility. Developments within Lockhaven Center should be compatible with, and complement the surrounding neighborhood. This may require:

a. Sensitive use of landscaping, building heights, building scale, materials, lighting, circulation systems, and architectural features.

b. Buffering of adjacent residential uses.

5. Other Conditions. The Council may impose other conditions of approval it deems appropriate for the health, safety, and welfare of the citizens of Keizer or to ensure the desired implementation of the approved master plan.

6. Traffic Impact. To minimize congestion and traffic impact within the development and in adjacent areas.

2.130.09 Dimensional and Development Standards in Centers

The following subsections indicate dimensional standards and development standards required within designated Centers in the RCOD. These standards supplement, and in some cases replace, the general standards for the RCOD provided in Section 2.130.05, as well as in the underlying zoning districts. Where the standards set forth in this Section conflict with standards in Section 2.130.05 or in the underlying zoning districts, the standards of this Section shall control.

A. Dimensional Standards in Centers

1. Minimum and Maximum Front Yard Setback Requirements

a. The following front yard setback standards apply to multi-family, commercial, and mixed use development on properties fronting on River Road, Lockhaven Drive, Chemawa Road, and Cherry Avenue within designated Centers:

Table 2.130.09-1: Front Yard Setback Standards in Centers

Zone	Front Setbacks	Multi-Family	Commercial or Mixed Use
MU	Minimum	0 feet/6 feet (1)	0 feet/6 feet (1)
	Maximum	10 feet (2)	10 feet (2)
RM	Minimum	5 feet (3)	N/A

(1) A 0-foot setback is permitted on properties fronting River Road where right-of-way has already been provided or dedicated, consistent with the adopted 84-foot right-of-way width for arterials identified in the Keizer Transportation System Plan standards. Where such right-of-way is not already provided or dedicated, a minimum 6-foot setback is required.

(2) The maximum setback may be extended to 20 feet for up to 50% of the building facade if a plaza or other pedestrian open space is provided between the building and the sidewalk. The pedestrian open space must meet the standards of Section 2.130.10.E.

(3) Non-residential development in the RM zone shall be subject to the same minimum and maximum setback standards as multi-family development.

b. Properties not subject to the setback standards listed in subsection a of this section are subject to the setback standards of the underlying base zone.

B. Development Standards in Centers

1. Minimum Landscaping and Maximum Lot Coverage in Centers

The minimum landscaping and maximum lot coverage standards for properties located in designated Centers are provided in the following table. Minimum landscaping for a property shall include all required yards. Landscaped areas shall be landscaped as provided in KDC Sections 2.309 and 2.130.06. Maximum lot coverage shall include all buildings, including accessory structures consistent with the definition of lot coverage.

Table 2.130.09-2: Minimum Landscaping and Maximum Lot Coverage Standards in Centers

Zone	Minimum Landscaping	Maximum Lot Coverage
MU	Commercial: 5% Mixed Use: 10% Residential: 10%	Commercial: 95% Mixed Use: 90% Residential: 90%
RM	10%	90%
RS	10%	90%

2. Reductions to Minimum Parking in Centers

Within designated Centers, the number of minimum required parking spaces provided in Sections 2.130.05.B.3.B and 2.303 may be reduced by up to 25% if the applicant can demonstrate the following:

a. The site is served by transit and transit related amenities such as transit stops, pull-outs, shelters, park and ride lots, are provided or will be provided as part of the development of the site. Allow up to a 20% reduction to the standard number of automobile parking spaces. This reduced parking allowance shall replace, not supplement, the 10% allowance provided in KDC Section 2.303.06.B.

b. Use of shared parking facilities on one or more lots. Owners of two or more uses, structures or parcels of land may agree to utilize jointly the same parking spaces on one or more lots when

the peak hours of operation of the uses do not overlap, subject to the following:

i. The shared parking facility(ies) shall contain the same number of vehicle parking spaces required by the use which requires the greatest amount of parking per Sections2.130.05.B.3.B and 2.303;

ii. Satisfactory legal evidence shall be presented to the Zoning Administrator in the form of deeds, leases or contracts to establish the shared use and be recorded with the Marion County Recorders Office against all properties involved;

iii. Shared parking spaces must be within 300 feet of the uses, structures or parcels sharing such parking.

iv. If a shared use arrangement is subsequently terminated, or if the uses change, the requirements of the KDC shall apply to each use separately.

c. A transportation demand management (TDM) plan is in place that will demonstrably reduce parking demand.

d. Residential uses are targeted to populations with demonstrably lower parking needs (e.g., low-income households, seniors, etc.).The site is developed with affordable housing reserved for those earning incomes at or below 80% of the area median income (AMI). Allow up to a 10% reduction to the number of automobile parking spaces.

e. The site has dedicated parking spaces for carpool or vanpool vehicles: Allow up to a 5% reduction to the standard number of automobile parking spaces.

f. The site has at least 15% of its dedicated parking spaces for motorcycles, scooters, or electric carts: Allow up to a 20% reduction in the minimum required dimensions for up to a 5% reduction in parking spaces.

g. Pursuant to Section 2.107, applications for sites in the MU zone may also request a reduction to or waiver of parking standards based on a parking impact study.

h. An EV charging station is provided: Allow up to a 5% reduction.

3. Parking in Mixed Use Projects in Centers

a. Mixed use projects shall include either uses that are contained in a single building (vertical mixed use) or in a group of single-purpose buildings that share a single parking facility (horizontal mixed use).

b. The required minimum vehicle parking shall be determined using the following factors.

i. Uses above the ground floor: The minimum parking requirement shall be 50% of what is required for the use pursuant to Section 2.303.

ii. Ground floor uses with peak hours of operation that do not overlap: The minimum parking requirement is determined by the number of spaces needed for the use with the highest peak demand.

iii. Ground floor uses with overlapping peak hours of operation shall be calculated in the aggregate.

a. Primary use, i.e., that with the largest parking demand within the development, at 100% of the minimum vehicle parking required for that use in Sections 2.130.05.B.3.B and 2.303;

b. Secondary use, i.e., that with the second largest parking demand within the development, at 90% of the vehicle parking required for that use in Sections 2.130.05.B.3.B and 2.303;

c. Subsequent use or uses, at 80% of the vehicle parking required for that use(s) in Sections 2.130.05.B.3.B and 2.303.

4. Standards for Auto-Oriented Uses and Development

a. Applicability. The standards of this subsection apply to auto-oriented uses and development on properties fronting River Road, Lockhaven Drive, Chemawa Road, and Cherry Avenue within Centers. For the purposes of this subsection, “auto-oriented uses and development” refers to the following uses:

i. Gasoline service stations (Section 2.419).

ii. Drive-Through windows or car service associated with eating and drinking places.

iii. Vehicle sales and secondary repair (Section 2.420).

iv. Public utility structures and buildings.

v. Recreational vehicle parks (Section 2.412).

vi. Structured automobile parking not associated with an allowed use.

vii. Automotive Dealers.

viii. Automotive rental and leasing, without drivers.

ix. Automotive repair shops (Section 2.420).

x. Automotive services, except repair (Section 2.420).

xi. Utilities - secondary truck parking and material storage yard.

b. Auto-oriented uses and development in Centers may be permitted subject to obtaining a Conditional Use Permit. Applicants must demonstrate how the proposed development either limits or mitigates the safety and aesthetic impacts of the auto-oriented use on the pedestrian environment. Possible strategies to limit/mitigate impacts include increased setbacks, provision of pedestrian-oriented amenities, screening and buffering from the right-of-way and from adjacent residential uses, and access management and control measures. These strategies shall be consistent with screening and other requirements in existing special use standards that address limiting and mitigating impacts.

2.130.10 Urban Design Standards in Centers

A. Purpose

The purpose of the urban design standards for Centers is to create pedestrian-oriented places that serve as the centers of commercial and civic activity and as destinations for residents and visitors in the River Road / Cherry Avenue Corridor. Pedestrian-oriented places provide visual interest at eye-level, feel safe and comfortable for people walking, contain a variety of activities and services, are easy to navigate on foot, and provide open areas and amenities for gathering and resting. The regulations for Centers modify the regulations of the overall River-Cherry Overlay District and of the underlying base zones to ensure pedestrian-oriented land uses and design.

B. Applicability

The following standards apply to multi-family, mixed use, and non-residential development on properties within designated Centers, except as noted below. Some standards only apply to properties fronting on River Road, Lockhaven Drive, Chemawa Road, and Cherry Avenue, as provided in each applicable subsection below. Outside of the centers in the RCOD, section 2.315 applies.

C. Building Entry Orientation & Design

The following Building Entry Orientation & Design standards apply to development on properties fronting on River Road, Lockhaven Drive, Chemawa Road, and Cherry Avenue within designated Centers.

1. Orientation

a. All buildings shall have at least one primary entrance facing the street, where facing means positioned at an angle of 45 degrees or less.

b. For the purposes of this section, the “primary building entrance” is the main public entrance to the building. In the case where no public entrance exists, the “primary building entrance” is the main employee or resident entrance. Where there are multiple buildings on a lot, all buildings shall comply with this standard.

2. Walkway. All primary entrances to a building must be connected to the sidewalk by a direct and continuous walkway. A direct walkway follows a route that does not deviate unnecessarily from a straight line and it does not involve a significant amount of out-of-direction travel. Walkway materials and dimensions shall be consistent with pedestrian circulation standards in Section 2.315.06.A.

3. Entry Design

a. Primary building entrances shall provide weather protection for pedestrians and must be architecturally emphasized, subject to the following standards:

i. Non-residential and mixed use buildings must comply with at least two (2) of the following:

a) Recessed entrances. If recessed, primary entrances shall be recessed a minimum of 3 feet into the building façade.

b) Awnings, canopies, or overhangs. These may be used to provide weather protection and a visual

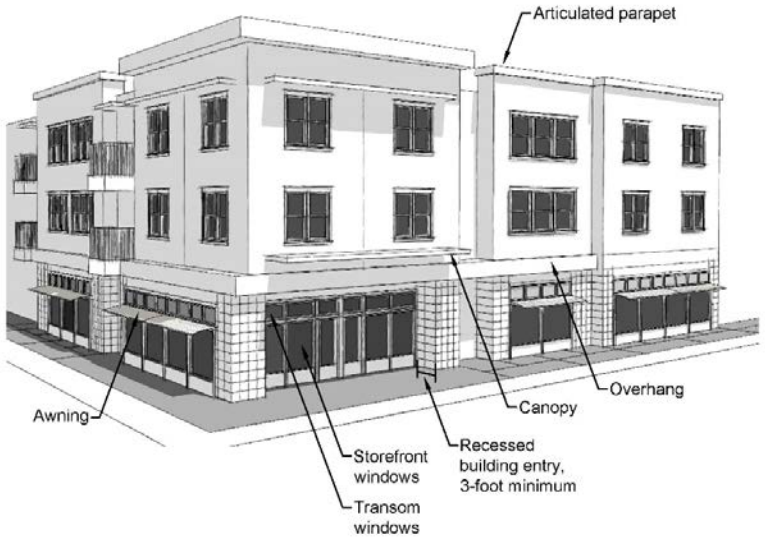
element and meet height, projection, and materials standards in Sections 2.312 and 2.315. Awnings and canopies must also meet the standards of Section 2.130.10.L.4.

c) Architectural features. Primary entrances may be reinforced with architectural features such as increased heights of entrance areas and doors, articulated parapets, transom windows above the doors, sidelights beside the doors, and/or windows (glass) in the doors.

d) Decorative features. Entries may be reinforced through the use of decorative exterior light fixtures (i.e., wall sconces) or other decorative features.

e) Columns, piers, or pilasters that extend at least six (6) inches from the building may be used to frame and highlight entrances.

Figure 2.130.10.C-1: Building Entry Design



ii. Multi-family residential buildings must provide weather protection over the primary building entrance and over entrances to all ground floor units. Weather protection may be provided using awnings, canopies, building overhangs such as eaves extending over front doors, covered front porches, or inset front doors. Awnings, canopies, and overhangs are subject to height, projection, and materials standards in Sections 2.312 and 2.315.

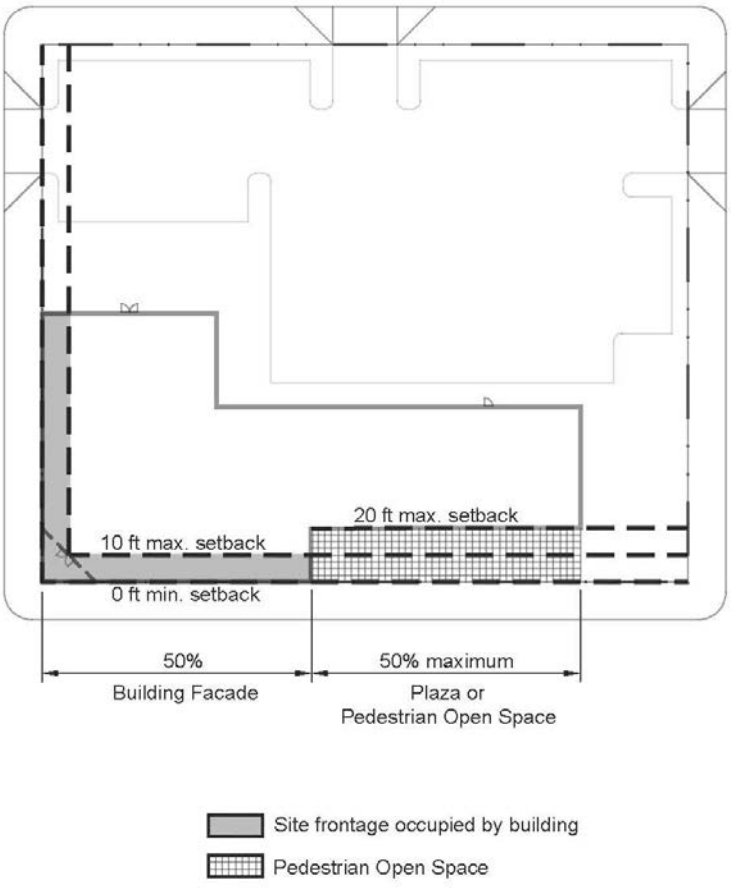
D. Corner Entrances and Features

Non-residential and mixed use buildings on corner lots are encouraged to have corner entrances. Where a corner entrance is not provided, the building design shall provide an architectural element or detailing (e.g., tower, beveled/chamfered corner, art, special trim).

E. Pedestrian Open Space

1. Pursuant to Section 2.130.09.A.1, the maximum setback for properties fronting on River Road, Lockhaven Drive, Chemawa Road, and Cherry Avenue within designated Centers may be extended to 20 feet for up to 50% of the building facade if a plaza or other pedestrian open space is provided between the building and the sidewalk.

Figure 2.130.10.D-1: Pedestrian Open Space (Plan View)

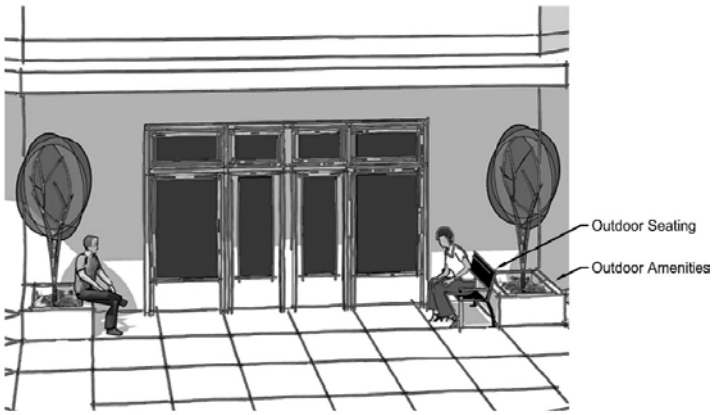


2. The pedestrian open space must include at least one type of outdoor seating from the list in subsection a below, and a total of at least two pedestrian amenities from the lists in in subsections a or b.

   a. Outdoor seating: benches, tables and chairs, or seat walls.

   b. Other amenities: fountains, drinking fountains, landscape planters, bollards, shade structures, or public art.

Figure 2.130.10.D-2: Pedestrian Open Space Amenities



3. Pedestrian open space shall not be entirely paved, and shall include pedestrian amenities as listed in Subsection 2 above.

F. Parking Location

1. Parking or vehicle circulation areas shall not be located within a required front yard setback or within a required side yard setback abutting River Road, Lockhaven Drive, Chemawa Road, or Cherry Avenue.

2. Parking or vehicle circulation areas shall be limited to 50 percent of the street frontage abutting River Road, Lockhaven Drive, Chemawa Road, or Cherry Avenue.

G. Parking Perimeter Landscaping

1. Where surface parking or vehicular circulation areas are located adjacent to the right-of-way, perimeter landscaping with a minimum width of 5 feet and a minimum height of 2.5 feet shall be provided. Perimeter landscaping shall include trees spaced not more than 30 feet on center, and shall include a mix of shrubs and ground cover and/or a landscaped swale for stormwater management.

2. The buffering and screening requirements for parking areas in KDC Section 2.309.05.A.5 shall not apply within Centers, except for parking areas abutting residential zones.

H. Window Coverage

Window coverage standards apply to building facades facing River Road, Lockhaven Drive, Chemawa Road, and Cherry Avenue.

1. Non-residential or mixed use buildings are subject to the following standards:

a. Ground floor windows. A minimum of 50% of the ground floor wall area of non-residential or mixed-use buildings shall contain windows, display areas, or doorway openings. Windows, display areas, or doorway openings used to meet this standard shall comply with the following provisions:

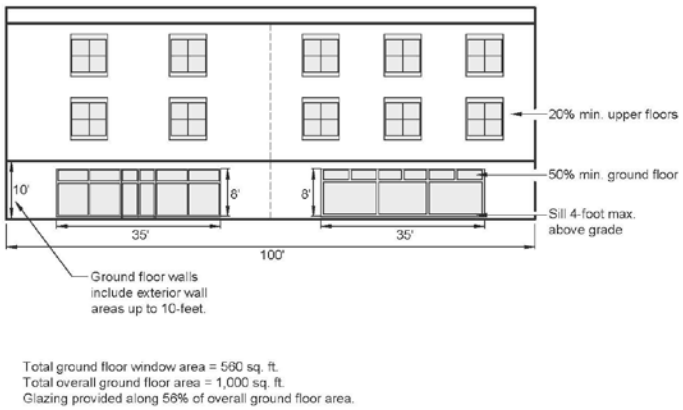
i. Required window areas shall be either windows that allow views into working areas or lobbies, pedestrian entrances, or display windows.

ii. Windows used to meet this standard shall have a visible transmittance (VT) of 0.6 or higher.

iii. The sill or lower edge of a window, display area, or doorway used to meet this standard shall be no more than four feet above grade. Where interior floor levels prohibit such placement, the sill or lower edge must be raised to allow it to be no more than two feet above the finished floor level, up to a maximum height of six feet above grade.

b. Upper floor windows. For buildings with more than one story, a minimum of 20% of the upper floor wall area of non-residential or mixed-use buildings shall contain windows.

Figure 2.130.10.G-1: Window Coverage for Mixed-Use Buildings

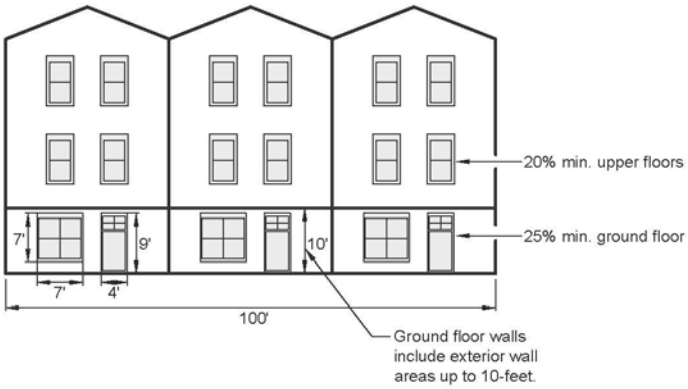


2. Multi-family residential buildings are subject to the following standards:

   a. Ground floor windows. A minimum of 25% of the ground floor wall area of multi-family residential buildings shall contain windows.

   b. Upper floor windows. A minimum of 20% of the upper floor wall area of multi-family residential buildings shall contain windows.

Figure 2.130.10.G-2: Window Coverage for Multi-Family Residential Buildings



3. For all building facades subject to the window coverage standards of this section, ground floor walls shall include all exterior wall areas up to 10 feet above the finished grade of the entire width of the street-facing elevation. Upper floor wall area shall include all exterior wall areas above 10 feet above the finished grade.

I. Façade Variation and Detailing

The following standards apply to building facades facing River Road, Lockhaven Drive, Chemawa Road, and Cherry Avenue.

1. Facades shall avoid large expanses of uninterrupted building surfaces in areas which are visible to the public by incorporating features listed in F.2 below to vary the look of the facade at intervals not to exceed 30 feet.

2. Each facade subject to this standard shall provide at least two (2) of the following features in order to meet the façade variation and detailing standard:

   a. Variation in building materials between primary materials and trim materials established in Section 2.315.06.B.4, where at least 65% of each building façade consists of primary materials;

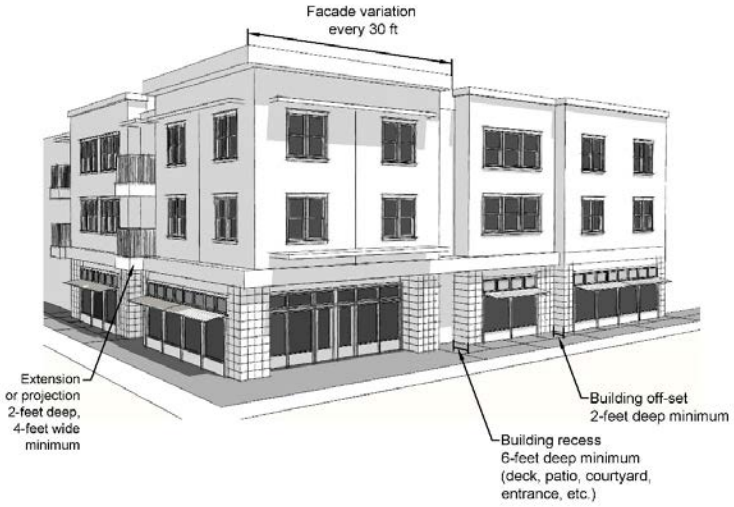
   b. Building off-set of at least two (2) feet;

   c. Recess (e.g., deck, patio, courtyard, entrance or similar feature) that has a minimum depth of six (6) feet;

   d. Extension or projection (e.g., floor area, deck, patio, porch, roof over a porch, entrance, or similar feature) that projects a minimum of two (2) feet and runs horizontally for a minimum length of four (4) feet;

   e. Other similar façade variations approved by the Zoning Administrator.

Figure 2.130.10.H-1: Façade Variation and Detailing



J. Roof Forms

The following standards apply to building facades facing River Road, Lockhaven Drive, Chemawa Road, and Cherry Avenue. Roof forms may be flat or sloped. Requirements for chosen roof forms are as follows:

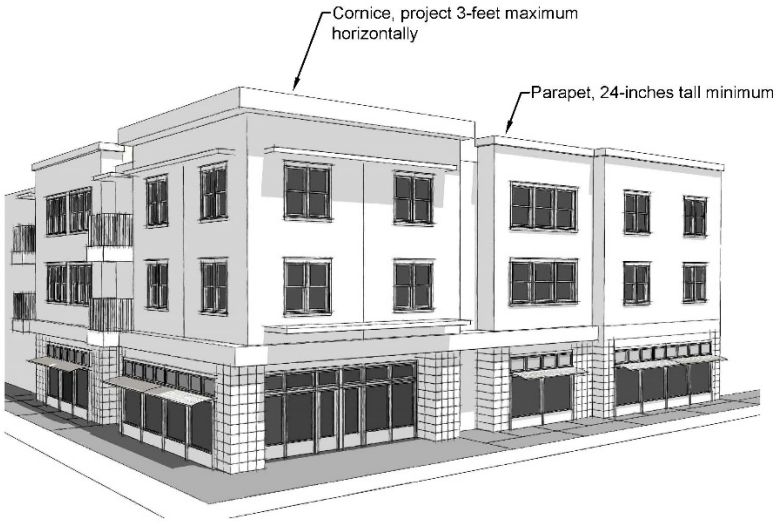
1. Flat roofs. All flat roofs shall employ a detailed, projecting cornice or projecting parapet to visually "cap" the building and meet all of the following requirements:

   a. Cornices shall project horizontally a maximum of 3 feet.

   b. Parapets must be a minimum of 24 inches in height. Parapets must include a cornice, molding, trim, or variations in brick coursing.

   c. Cornices and parapets shall wrap around all sides of the building visible from any adjacent street or parking area.

Figure2.130.10.I-1: Flat Roof Forms

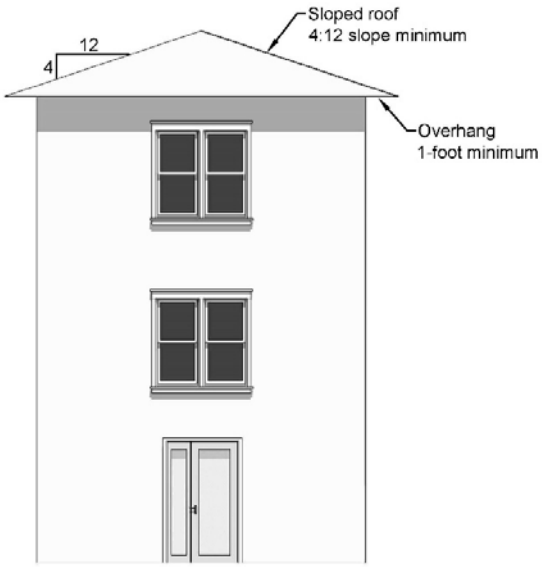


2. Sloped roofs must meet all of the following requirements:

   a. All sloped roofs shall provide a minimum 1-foot overhang.

   b. All sloped roofs must have a minimum slope of 4:12

Figure 2.130.10.I-2: Sloped Roof Forms



K. Base, Middle, and Top of Building

The following standards apply to building facades of non-residential and mixed

use buildings facing River Road, Lockhaven Drive, Chemawa Road, and Cherry Avenue.

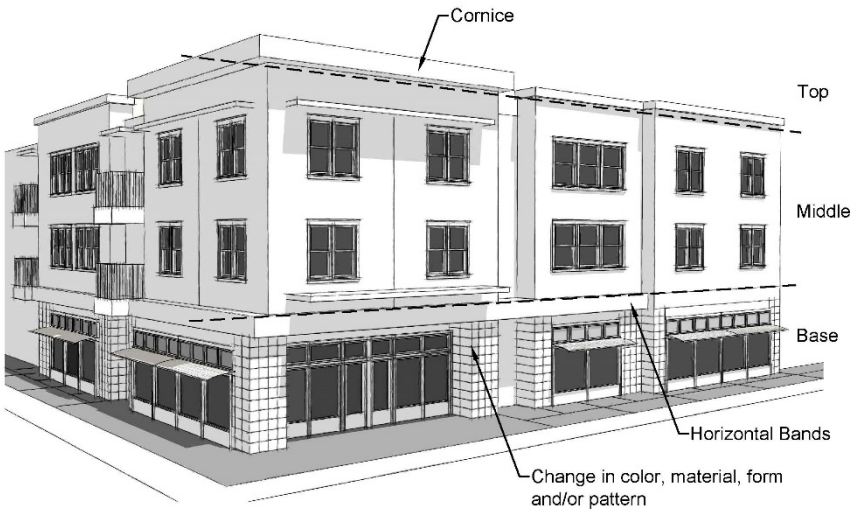
1. All buildings with two (2) stories or more shall have a clear and distinct base, middle and top to break up vertical mass.

2. All facades subject to this standard must utilize horizontal bands and/or changes in color, material, form and/or pattern to differentiate the base, middle, and top of the building, subject to the following requirements:

   a. Horizontal bands or other changes in pattern or material shall be a minimum of 8 inches high (the length of a standard brick), and must project a minimum of 3/4 inch from the building face.

   b. Changes in building massing and form may also be used to differentiate a building's base, middle, and top. This may include architectural setbacks or projections, measuring a minimum of 3 inches.

Figure 2.130.10.J-1: Building Base, Middle, and Top



L. Weather Protection for Non-Residential or Mixed Use Buildings

Weather protection for pedestrians shall be provided along a minimum of 40% of a building frontage facing River Road, Lockhaven Drive, Chemawa Road, or Cherry Avenue, subject to the following provisions and consistent with Section 2.130.10.C.3:

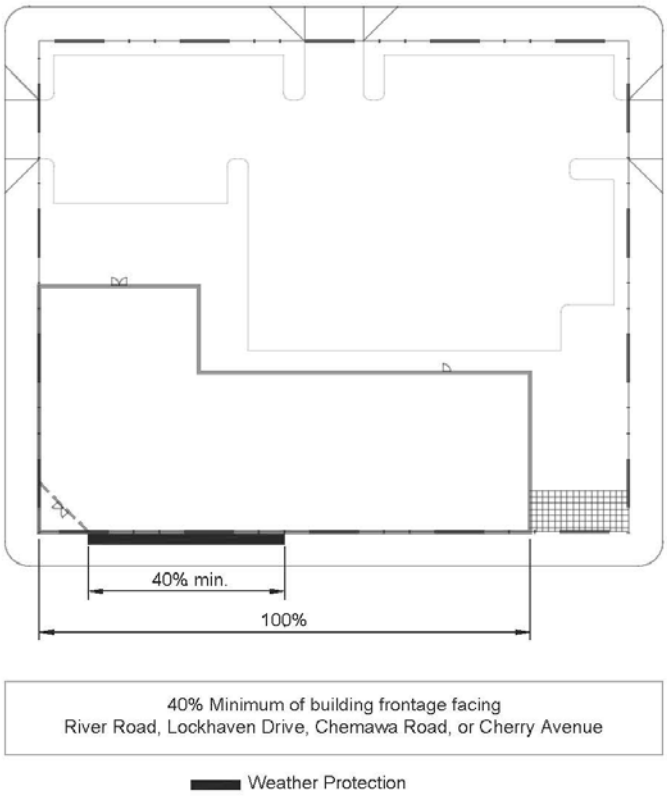
1. Weather protection may be provided by awnings, canopies, arcades, colonnades, recessed entries, or combination of these elements.

2. Vertical clearance from the weather protection element to the sidewalk must be between 9 to 12 feet.

3. Recessed entries must be recessed a minimum of 4 feet from the building façade.

4. Awnings and canopies shall project a minimum of 5 feet from the building façade, or a minimum of 4 feet for a recessed building entry, and shall be constructed of canvas, acrylic fabric, laminated vinyl, metal or similar standard material. Awnings and canopies of corrugated fiberglass or polycarbonate roofing shall be prohibited. Awnings and canopies shall not be back lit.

Figure 2.130.10.K-1: Weather Protection



M. Building Materials

Buildings shall be subject to the Materials and Texture standards of Section 2.315.06.B.4, as modified by the following requirements.

1. The following exterior materials or finishes are prohibited within designated Centers:

   a. Vinyl siding

   b. T-111 or similar sheet materials

   c. Plain concrete block (not including split faced, colored, or other block designs that mimic stone, brick, or other masonry); foundation material may be skim-coated concrete block where the foundation material is not revealed for more than 3 feet.

2. Each building façade facing River Road, Lockhaven Drive, Chemawa Road, and Cherry Avenue shall include a minimum of two (2) types of exterior materials, each with an area of at least 20% of the façade. Brick or masonry (except CMU) may be used singly and applied to the entirety of the façade.

N. Screening of Mechanical Equipment

1. Building Walls

   a. 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 it shall be screened shall be screened from view by a sight obscuring fence, wall, landscape screen, or combination of screening methods.

   b. Standpipes, meters, vaults, and similar equipment need not be screened but such equipment shall be placed on a side or rear building elevation except where the applicant can demonstrate that such locations are not physically or financially feasible.

2. Rooftop Mechanical Equipment. Rooftop mechanical units shall be set back or screened behind a parapet wall so that they are not visible from any public right-of-way. Where the applicant demonstrates that such placement and screening is not physically or financially feasible, the Decision Authority 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. Solar panels are exempt from this standard.

3. 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.

1.103 ESTABLISHMENT OF ZONING DISTRICTS

1.103.01 Districts

For the purposes of this Ordinance, the City of Keizer is divided into the following zoning districts:

Classification	Abbreviation
Single Family Residential	RS
Limited Density Residential	RL
Medium Density Residential	RM
High Density Residential	RH
Residential Commercial	RC
Mixed Use	MU
Commercial Office	CO
Commercial Mixed Use	CM
Commercial Retail	CR
Commercial General	CG
Employment General	EG (02/03)
Industrial Business Park	IBP
General Industrial	IG
Agricultural Industrial	IA
Public	P
Exclusive Farm Use	EFU
Urban Transition	UT

For the purposes of this Ordinance, the following overlay zones are placed in certain areas of the City of Keizer:

Floodplain Overlay Zone	FPO
Greenway Management Overlay Zone	GMO
Limited Use Overlay Zone	LUO
Activity Center Overlay Zone	ACO
Resource Conservation Area Overlay Zone	RCO
Historical Landmark Overlay Zone	HLO
River-Cherry Overlay District	RCOD

1.103.02 Comprehensive Plan Designation and Zoning Districts

Zone classifications implement the Comprehensive Plan map designations. The following are the zones allowed in each Comprehensive Plan designation:

Comprehensive Plan Designation	Zone Classification
Low Density Residential (LDR)	RS, RC, UT

Medium Density Residential (MDR)	RL, RM, RC, MU
Medium and High Density Residential (MHDR)	RL, RM, RH, RC, MU
Mixed Use (MU)	MU
Commercial (C)	CM, CR, CG, CO
Special Planning District (SPD)	EG (02/03)
General Industrial (GI)	IG, IBP
Campus Light Industrial (CLI)	IBP
Special Policy Area (SPA)	IA, EFU
Civic (CI)	P
Schools (ES, MS, HS)	P
Park (P)	P

1.103.03 Boundaries

A. Zoning Map. The zoning district boundaries are shown on the zoning map of the City of Keizer. This map is made a part of this Ordinance and shall be filed in the office of the Zoning Administrator. The Zoning Administrator shall amend the map as required. The map shall be available for public review with copies provided at reasonable cost. (5/98)

B. Zoning Map Interpretation. The Zoning Administrator shall resolve any dispute over the exact location of a zoning district boundary. In interpreting the location of the zoning boundaries, the Zoning Administrator shall rely on the Keizer Comprehensive Plan Map and the following guidelines:

1. Right-of-way. Boundaries indicated as approximately following the centerline or the right-of-way boundary of streets, highways, railways or alleys shall be construed to follow such centerline or boundary. (5/98)

2. Lot Lines. Boundaries indicated as approximately following lot lines shall be construed as following such lot lines. (5/98)

3. Water Courses. Boundaries indicated as approximately following the centerline of streams, rivers, canals, lakes, or other bodies of water shall be construed to follow such centerline. (5/98)

4. Extensions. Boundaries indicated as parallel to or extensions of features indicated in subsections 1., through 3., above shall be so construed. (5/98)

5. Specific Description. Where a Plan map designation or zoning action referenced a specific property description, that description shall establish the boundary. Where 2 or more property descriptions establish conflicting boundaries, the most recent description shall govern. (5/98)

1.200 DEFINITIONS

1.200.01 General Provisions

A. General and Specific Terms. The definitions contained in this Section include those that are applicable to the entire ordinance (general), and those terms that are apply to specific Sections (specific). Terms used in specific Sections are identified as follows:

[Adult] Adult Entertainment Business; Section 2.418
[Flood] Floodplain Overlay Zone; Section 2.120
[Greenway] Greenway Management Overlay Zone; Section 2.121
[Historic] Historic Resources; Section 2.127
[RV Park] Recreational Vehicle Park; Section 2.412
[Signs]Signs; Section 2.308

B. Interpretation. When there are two definitions for the same word or phrase, then the definition most applicable for the given situation shall apply. If appropriate, specific terms may be applied to general situations. (5/98)

1.200.02 Grammatical Interpretation.

Words used in the masculine include the feminine, and feminine the masculine. Words used in the present tense include the future, and the singular includes the plural. The word "shall" is mandatory. Where terms or words are not defined, they shall have their ordinary accepted meanings within the context of their use. The contemporary edition of Webster's Third New International Dictionary of the English Language (principal copyright 1961) shall be considered as providing accepted meanings. (5/98)

1.200.03 Diagrams

Diagrams are provided for terms or phrases in order to provide an illustrative example. (5/98)

1.200.04 Definitions.

The following words and phrases, when used in this Ordinance, shall have the meanings ascribed to them in this Section:

Access: The way or means by which pedestrians and vehicles shall have ingress and egress to property. (5/98)

Accessory Dwelling: An interior, attached, or detached residential structure that is used in connection with, or that is accessory to, a single-family dwelling. (1/19)

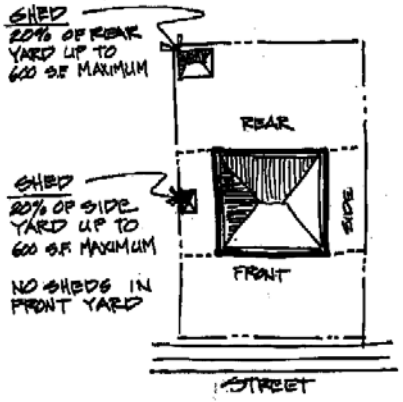
Access Easement:
A narrow, private, limited use roadway, which provides access to a public street for properties that do not have usable public street frontage. (11/16)

Accessory Structure: A detached, subordinate building or portion of a main building, the use of which is incidental to the main building or use of the land, but does not include dwellings or living quarters. (5/98)

Accessory Structure [Flood]: Sheds or small garages less than 480 square feet in area that are exempt from elevation or flood proofing requirements. (5/98)

Accessory Use: A use incidental and subordinate to the main use of the parcel, lot or building. (5/98)

Adjacent: Near or close, but not necessarily abutting or contiguous. For example, a parcel next to, or across the street from, another parcel shall be considered "adjacent." (5/98)



Accessory Structure

Administrative Decision: A decision made by applying the existing standards contained in this Ordinance and without a public hearing. (5/98)

Adult entertainment business [Adult]: A term intended to cover a broad range of activities characterized by live, closed circuit, digital, or reproduced material which has an emphasis on nudity and/or sexual activity. Adult businesses limit their patrons to persons at least 18 years of age. The term "adult entertainment business" also includes the full range of adult motion picture or video theaters and related businesses, such as adult bookstores, adult theaters, adult massage parlors, adult lotion studios, adult arcades, adult cabarets, adult paraphernalia shops, and other establishments which make up a substantial or significant portion of the establishment's activities or merchandise and constitute a continuing course of conduct of exhibiting specified sexual activities and/or nudity in a manner which appeals to a prurient interest. The term "adult entertainment business" also includes other uses similar to the uses mentioned above, presenting material for patrons to view (live, closed circuit, or reproductions), providing massage or lotion studios for the purpose of fondling or other erotic touching of specified anatomical areas and/or purchase or rent of merchandise which emphasizes nudity and/or specified sexual activity in a manner which appeals to a prurient interest, and limiting entrance to patrons who are over 18 years of age. (5/98)

Alteration [Historical]: A change, addition, or modification to the exterior of a building. (5/98)

Alteration or Altered [Sign]: Any change in the size, shape, method of illumination, position, location, construction, or supporting structure of a sign. A change in sign copy or sign face shall not be considered an alteration. (5/98)

Alteration, Structural: Any change in the exterior dimensions of a building, or, a change which would affect a supporting member of a building, such as a bearing wall, column, beam, or girder. (5/98)

Appeal: A request for a review of a decision authority's action on an application. (5/98)

Applicant: The property owner of record or contract purchaser. (5/98)

Approved: Means approved by the Community Development Director, Hearings Officer, Planning Commission or City Council having the authority to grant such approval. (5/98)

Architectural Front: For the purposes of determining building setbacks for residential single and multi-family buildings as permitted in the RL, RM, RH, RC and MU zones the architectural front of a building is opposite the architectural rear. The architectural front is typically the façade with the main point of entry into the building and may include doorways, stairs, windows, and other architectural features typically found on a front of the residential building. It may be oriented towards a street or towards an internal parking lot. (6/07)

Architectural Rear: For the purposes of determining building setbacks for residential single and multi-family buildings as permitted in the RL, RM, RH, RC and MU zones the architectural rear of a building is opposite the architectural front, or the façade with the main point of entry into the building. The architectural rear is typically the side of the building that may include such features as porches, patios or other features for use of either individual or multiple units. (6/07)

Architectural Side: For the purposes of determining building setbacks for residential single and multi-family buildings as permitted in the RL, RM, RH, RC and MU zones the architectural side of a building is perpendicular to both the architectural front and rear. The architectural side is typically the façade without any significant architectural features found on either the front or rear of the building. (6/07)

Area: The total area circumscribed by the boundaries of a lot or parcel, except that:

1. When the legal instrument creating the property shows the boundary extending into a public street right-of-way, then for purposes of computing the lot or parcel area shall be the street right-of-way line,

or if the right-of-way line cannot be determined, a line running parallel to and 30 feet from the center of the traveled portion of the street. (5/98)

2. Private access easements, and the access strips to flag-lots, shall not be included when calculating the area of a lot or parcel. (5/98)

Area [Sign]: The area of a sign shall be the entire area within any type of border, which encloses the outer limits of any writing, representation, emblem, figure, or character. If the sign is enclosed in a frame or cabinet the area is based on the inner dimensions of the frame or cabinet surrounding the sign face. When a sign is on a base material and attached without a frame, such as a wood board or Plexiglas panel, the dimensions of the base material are to be used. The area of a sign having no such perimeter, border, or base material shall be computed by enclosing the entire area within a parallelogram or a triangle of the smallest size sufficient to cover the entire message of the sign and computing the area of the parallelogram or a triangle. For the purpose of computing the number of signs, all writing included within such a border shall be considered one sign, except for multi-faced signs on a single sign structure, which shall be counted as one sign per structure. The area of multi-faced signs shall be calculated by including only one-half the total area of all sign faces. (5/98)

Sign Area

Area of Special Flood Hazard [Flood]: Land in the floodplain within a community subject to a one percent or greater chance of flooding in any given year. (5/98)

Attached Dwellings:
Two or more dwelling units on separate properties that share a common wall for a full story that adjoins enclosed habitable space on each side. Attached dwellings shall be joined along a common wall for no less than one story for a distance of at least 10 feet. (01/02)

Automobile, Recreational Vehicle or Trailer Sales: A lot used for display, sale, or rental of new or used automobiles, recreational vehicles or trailers and where repair work is limited to minor, incidental repairs. (5/98)

Auto-oriented development: Development that is designed to accommodate customers who use automobiles to travel to the site. This type of development typically provides more than the minimum required number of parking spaces. Buildings entrances tend to emphasize providing convenient access to parking areas. Other typical characteristics are drive-through facilities, multiple driveways, and a low lot coverage percentages.
Auto-oriented uses: Uses (typically businesses) that provide goods and services for vehicles (for example, auto parts stores and recreational vehicle parks). Uses

that feature vehicles as a primary and integral part of their operations (for example, distribution facilities).

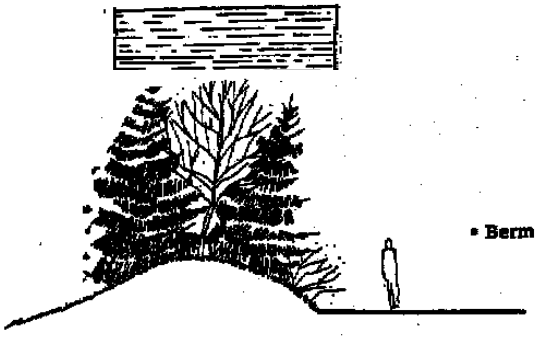
Awning [Sign]: A shelter supported entirely from the exterior wall of a building and composed of non-rigid materials, except for the supporting framework. (5/98)

Sign Awning

Base Flood Level [Flood]: The flood level having a 1 percent chance of being equaled or exceeded in any given year (100 year flood plain). (5/98)

Basement: That habitable portion of a building between floor and ceiling which is all below, or partly below and partly above, grade, but so located that for all exterior walls the average vertical distance from grade to the floor below is equal to or greater than the vertical distance from grade to ceiling. If such portion of a building is not a basement, then it shall be considered a story. (5/98)

Bed and Breakfast Establishment: A structure designed and occupied as a residence and in which sleeping rooms are provided on a daily or weekly basis with a morning meal provided. (5/98)



Berm

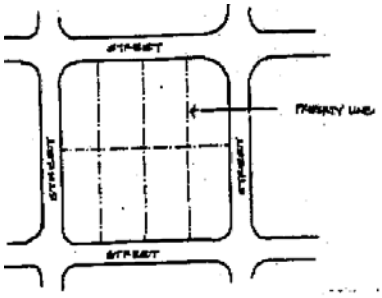
Berm: A linear mound of soil. (5/98)

Bicycle Facilities: Improvements which provide for the needs of cyclists, including bicycle paths, bicycle routes and bicycle parking. (5/98)

Biomass Facility: An electric generating facility that burns wood, agricultural products, other plant or animal waste or material solid waste as fuel to produce steam which is converted to electricity. This definition also includes a gasification, methane fermentation, or alcohol fuel production facility. (5/98)

Block: A parcel of land bounded by 3 or more through streets. (5/98)

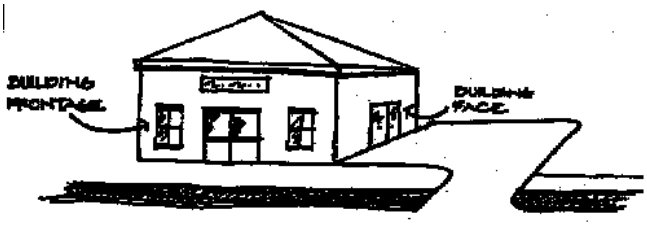
Building: A structure having a roof and built for the support, shelter, or enclosure of persons, animals, or property of any kind. Recreational vehicles shall not be considered buildings. (5/98)


Block

Building Coverage: The portion of a lot or parcel covered or occupied by buildings or other structures. (5/98)

Building Face [Sign]: The single wall surface of a building facing a given direction. (5/98)

Building Frontage [Sign]: The portion of a building face most closely in alignment with an adjacent right-of-way or fronting a parking lot. A service station may use the longest side of an overhanging canopy for building frontage. (5/98)



Building Face & Frontage

Building Height: The vertical distance from the average elevation of the finished grade to the highest point of the structure. By definition, building height does not include architectural and building features exempt from height restrictions. (5/98)

Building Height

Building, Main: A building within which is conducted the principal use of the property. (5/98)

Building Official: An individual empowered by the City to administer and enforce the Uniform Building Code (UBC). (5/98)

Building Plane: The plane of a building wall that extended from the ground to the top of each wall of a structure. Area is determined by multiplying the length of each wall by the height. The plane does not include roof area. (12/18)

Cabana: A stationary structure with two or more walls, used in conjunction with a manufactured home to provide additional living space and meant to be moved with the manufactured home. (5/98)

Canopy Sign [Sign]: A sign hanging from a canopy or eve, at an angle to the adjacent wall. (5/98)

Canopy Sign

Carpool: A group of two or more commuters, including the driver, who share the ride to and from work or other destinations. (5/98)

Carport: A structure consisting of a roof and supports for covering a parking space and of which not more than one side shall be enclosed by a wall or storage cabinet. (5/98)

Cemetery: Land used or intended to be used for the burial of the dead, and dedicated for cemetery purposes, including a columbarium, crematory, mausoleum, or mortuary, when operated in conjunction with and within the boundary of such cemetery. (5/98)

Change of Use: A change from one type of use of a building or land to another type of use. (5/98)

Change of Use [Greenway]: Making a different use of the land than that which existed on December 6, 1975. It includes a change which requires construction, alterations of the land, water or other areas outside of existing buildings or structures and which substantially alters or affects the land or water. It does not include a change of use of a building or other structure which does not substantially alter or affect the land or water upon which it is situated. The sale of property is not in itself considered to be a change of use. An existing open storage area shall be considered to be the same as a building. Landscaping, construction of driveways, modifications of existing structures, or the construction or placement of such subsidiary structures or facilities as are usual and necessary to the use and enjoyment of existing improvements shall not be considered a change of use. (5/98)

Child Foster Home: Any home maintained by a person who has under the care of the person in such home any child under the age of 18 years not related to the person by blood or marriage and unattended by the parent or guardian for the purpose of providing such child's care, food and lodging. This use must have a current certificate of approval issued by the State of Oregon (6/99)
Church: See House of Worship. (5/98)

City: The City of Keizer, Oregon. (5/98)

Clinic: A facility operated by a group of physicians, dentists, or other licensed health practitioners on an out-patient basis and not involving overnight housing of patients. (5/98)

Club: An organization, group, or association supported by the members, the purpose of which is to render a service primarily for members and their guests, but shall not include any organization, group, or association the chief activity of which is to render a service customarily carried on as a business for profit. (5/98)

Commission: The Planning Commission of Keizer, Oregon. (5/98)

Common Open Space: An area, feature, building or other facility within a development intended for the use by the residents of the development. (5/98)

Community Building: A publicly owned and operated facility used for meetings, recreation, or education. (5/98)

Comprehensive Plan: The officially adopted City of Keizer Comprehensive Plan, as amended. (5/98)

Conditional Use: A use, which is permitted in a particular zone or elsewhere in this ordinance only after review and approval as a conditional use, including non-conforming" conditional uses. (5/98)

Condominium: A building or group of buildings, broken into separate units with each unit being separately owned, while the parcel on which the building(s) is located is held in a separate ownership. Condominiums are subject to the provisions of ORS 94.004 to 94.480, and 94.991. (5/98)

Conforming: In compliance with the regulations of the Code. (5/98)

Construct [Sign]: Build, erect, attach, hang, place, suspend, paint in new or different word, affix, or otherwise bring into being. (5/98)

Conveyance [Flood]: Refers to the carrying capacity of all or a part of the flood plain. It reflects the quantity and velocity of flood waters. Conveyance is measured in cubic feet per second (CFS). If the flow is 30,000 CFS at a cross section, this means that 30,000 cubic feet of water pass through the cross section each second. (5/98)

Corner Lot: See "Lot, Corner." (5/98)

Council: The City Council of Keizer, Oregon. (5/98)

Critical Feature [Flood]: An integral and readily identifiable part of a flood protection system, without which the flood protection provided by the entire system would be compromised. (5/98)

Day Care Facility: An establishment or place, not a part of a public school system, in which are commonly received 3 or more children, not of common parentage, under the age of 14 years, for a period not exceeding 12 hours per day for the purpose of being given board, care, or training apart from their parents or guardians. (5/98)

Decision: The formal act by which the Community Development Director, Hearings Officer, Planning Commission or City Council makes its final disposition of a land use action. (5/98)

Demolish [Historical]: To raze, destroy, dismantle, deface or in any other manner cause partial or total destruction of a resource. (9/18)

Density: The number of dwellings units per gross acre. (5/98)

Develop: To construct or alter a structure; or, to make alterations or improvements to land for the purpose of enhancing its value. (5/98)

Development: Man-made changes to property, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation, or drilling operations. (5/98)

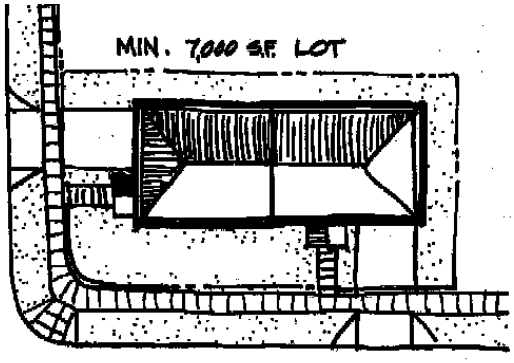
Development [Flood]: Any activity that has the potential to cause erosion or increase the velocity or depth of floodwater. Development may include, but is not limited to, residential and non-residential structures, fill, utilities, transportation facilities, and the storage and stockpiling of buoyant or hazardous materials. (5/98)

Dormitory: A building, under single management, where group sleeping accommodations are provided for in one room or in a series of closely associated rooms and where meals may be provided. (5/98)

Driveway: A private way used by vehicles and pedestrians to gain access from a public access or right-of-way onto a lot or parcel of land. (5/98)

Drop Station: Vehicles or structures of less than a total of 400 square feet maintained on a lot solely to provide shelter for no more than four types of recyclable material (such as paper, tin cans, plastic and bottles) deposited by members of the public and collected at regular intervals for further transfer or processing elsewhere. (5/98)

Duplex: See: "Dwelling, Two-Family (Duplex)." (5/98)



Duplex

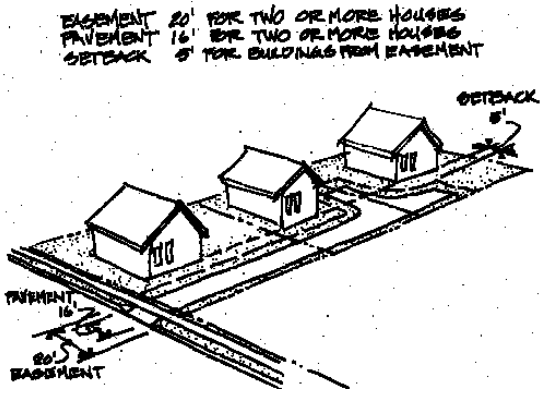
Dwelling Unit: One or more rooms designed for occupancy by one family and not having more than one cooking facility. (5/98)

Dwelling, Multi-Family: A building on a single parcel or lot containing 3 or more dwelling units designed for occupancy by 3 or more families living independently of each other. (5/98)

Dwelling, Single Family Detached: A detached building containing one dwelling unit designed exclusively for occupancy by l family. (5/98)

Dwelling, Townhouse: A multi-family structure so designed that each individual dwelling unit is located upon a separate lot or parcel. (5/98)

Dwelling, Two-Family (Duplex): A detached building on a single parcel or lot containing 2 dwelling units designed exclusively for occupancy by 2 families living independently of each other. (5/98)



Easement

Easement: A grant of right to use an area of land for a specific purpose. (5/98)

Employees: All persons, including proprietors, performing work on a premise. (5/98)

Encroachment [Flood]: Any obstruction in the flood plain which affects flood flows. (5/98)

Existing Mobile/Manufactured Home Park or Manufactured Home Subdivision [Flood]: A parcel (or contiguous parcels) of land divided into two or more mobile/manufactured home lots for rent or sale for which the construction of facilities for servicing the lot on which the mobile/manufactured home is to be affixed (including, at a minimum, the installation of utilities, either final site grading or the pouring of concrete pads, and the construction of streets) is completed before the effective date of this Ordinance. (5/98)

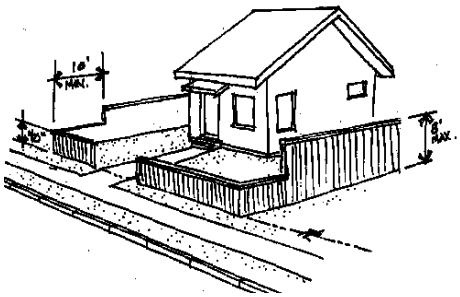
Expansion to an Existing Mobile/Manufactured Home Park or Manufactured Home Subdivision [Flood]: The preparation of additional sites by the construction of facilities for servicing the lots on which the mobile/manufactured homes are to be affixed (including the installation of utilities, either final site grading or pouring of concrete pads, or the construction of streets). (5/98)

Family: An individual or two or more persons related by blood, marriage, adoption, or legal guardianship, or a group of not more than 5 unrelated individuals, living together as a single housekeeping unit. (5/98)

Family Day Care Provider: A day care provider who regularly provides child care in the family living quarters of the home of the provider. (5/98)

Farming: The use of land for purposes defined in ORS Chapter 215. (5/98)

Federal Emergency Management Agency (FEMA) [Flood]: The federal organization responsible for administering the National Flood Insurance Program. (5/98)



Fence

Fence: An unroofed barrier or an unroofed enclosing structure or obstruction constructed of any materials including but not limited to, wire, wood, cement, brick, and plastic. (5/98)

Fence, Sight Obscuring: A fence arranged or constructed to obstruct vision. (5/98)

Fill [Flood]: The placement of any material on the

land for the purposes of increasing its elevation in relation to that which exists. Fill material includes, but is not limited to, the following: soil, rock, concrete, bricks, wood stumps, wood, glass, garbage, plastics, metal, etc. (5/98)

Final Decision: A decision made in accordance with, and pursuant to, the provisions of this ordinance, or decisions made by the Land Use Board of Appeals or the Courts, after the applicable appeal periods have expired. (5/98)

Finish Ground Level [Sign]: The average elevation of the ground (excluding mounds or berms, etc. located only in the immediate area of the sign) adjoining the structure or building upon which the sign is erected, or the curb height of the closest street, which ever is the lowest. (5/98)

Flag Lot: See "Lot, Flag." (5/98)

Flashing Sign [Sign]: A sign any part of which pulsates or blinks on and off, except time and temperature signs and message signs allowed by conditional use. (5/98)

Flood or Flooding [Flood]: A general and temporary condition of partial or complete inundation of usually dry land areas from the unusual and rapid accumulation of runoff of surface waters from any source. (5/98)

Flood Boundary Floodway Map (FBFM) [Flood]: The map portion of the Flood Insurance Study (FIS) issued by the Federal Insurance Agency on which is delineated the Flood Plan, Floodway (and Floodway Fringe), and cross sections (referenced in the text portion of the FIS). (5/98)

Flood Elevation Certificate (FEC) [Flood]: Certification by a professional surveyor or other authorized official indicating the height of the lowest floor of a building. (5/98)

Flood Insurance Rate Map (FIRM) [Flood]: The official map on which the Federal Insurance Administration has delineated both the areas of special flood hazards (flood plain) and the risk premium zones applicable to the community and is on file with the City of Keizer. (5/98)

Flood Insurance Study (FIS) [Flood]: The official report provided by the Federal Insurance Administration that includes flood profiles, the Flood Boundary-Floodway map and the water surface elevation of the base flood and is on file with the City of Keizer. (5/98)

Flood Plain [Flood]: Lands within the City that are subject to a one (1) percent or greater chance of flooding in any given year as identified on the official zoning maps of the City of Keizer. (5/98)

Flood Proofing [Flood]: A combination of structural or non-structural provisions, changes, or adjustments to structures, land or waterways for the reduction or

elimination of flood damage to properties, water and sanitary facilities, structures and contents of buildings in a flood hazard area. (5/98)

Floodway [Flood]: The channel of a river or other watercourse and the adjacent land areas that must remain unobstructed to discharge the base flood without cumulatively increasing the water surface elevation more than one (1) foot. Once established, nothing can be placed in the floodway that would cause any rise in the base flood elevation. (5/98)

Floodway Fringe [Flood]: The area of the flood plain lying outside of the floodway as delineated on the FBFM where encroachment by development will not increase the flood elevation more than one foot during the occurrence of the base flood discharge. (5/98)

Floor Area: The sum of the gross horizontal areas of the several floors of a building, measured from the exterior faces of the exterior walls or from the centerline of walls separating two buildings, but not including:

1. Attic space providing headroom of less than seven feet;
2. Basement, if the floor above is less than six feet above grade;
3. Uncovered steps or fire escapes;
4. Private garages, carports, or porches;
5. Accessory water towers or cooling towers;
6. Off-street parking or loading spaces. (5/98)

Forest Use: The use of land for the production of trees; the processing of forest products; open space; water sheds; wildlife and fisheries habitat; vegetative soil stabilization; air and water quality maintenance; outdoor recreational activities or related support services; wilderness; or, livestock grazing. (5/98)

Free-Standing Sign [Sign]: A sign supported by one or more uprights, poles or braces placed in or upon the ground, or a sign supported by any structure primarily for the display and support of the sign. (5/98)

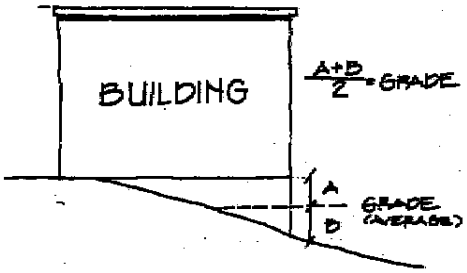
Free-Standing Sign

Frontage: That portion of a lot or parcel which abuts a public street. (5/98)

Front Lot Line: See "Lot Line, Front." (5/98)

Garage: A building, or portion of a building, used for the storage or parking of a vehicle. (5/98)

Grade: The average elevation of the finished ground at the centers of all walls of a building, except that if a wall is parallel to and within five feet of a sidewalk, the sidewalk elevation opposite the center of the wall shall constitute the ground elevation. (5/98)



Grade

Group Living: Characterized by the long-term (i.e., more than 28 days) residential occupancy of a structure by a group of people who do not meet the definition of Household Living. The size of the group typically is larger than the average size of a household. Group Living structures do not include self-contained units but rather have common facilities for residents including those for dining, social and recreational and laundry. Group Living is differentiated into two subcategories based on whether residents receive personal care, training and/or treatment.

a. Room and board facilities where no personal care, training and/or treatment is provided include examples such as dormitories, fraternities, sororities, boarding houses, monasteries and convents, residential hotels, lodging houses operated by organizations for members only, and similar uses.
b. Long-term facilities where some level of care is provided includes examples such as hospice, nursing and personal care facilities, homes for the deaf or blind, and similar uses.

Exceptions include: (1) Lodging where tenancy may be arranged for periods less than one month is considered a hotel or motel use and is classified in the Retail Sales and Service category. However, in certain situations, lodging where tenancy may be arranged for periods less than one month may be classified as a Community Service use such as short term housing or mass shelters. (2) Facilities for people who are under judicial detainment and are under the supervision of sworn officers are included in the Detention Facilities category.

Habitable Space: A room or space in a structure for living, sleeping, eating, or cooking. Bathrooms, toilet compartments, closets, halls, storage or utility space, and similar areas, are not considered habitable space. (5/98)

Hazardous Material [Flood]: Combustible, flammable, corrosive, explosive, toxic or radioactive substance which is potentially harmful to humans and the environment. (5/98)

Hearings Action: Those actions where opportunity for a public hearing of a land use action is provided by this Ordinance. (5/98)

Hearings Officer: The person(s) so designated by the Council to conduct a quasi-judicial public hearing for certain land use actions. (5/98)

Home Occupation: A business or professional activity engaged in by a resident of a dwelling unit as a secondary use of the residence, and in conformance with the provisions of the Ordinance. Such term does not include the lease or rental of a dwelling unit, the rental of guest rooms on the same premises, or the operation of a day care facility. (5/98)

Hotel: Any building in which lodging is provided to guests for compensation and in which no provision is made for cooking in individual rooms. (5/98)

Household Living: Characterized by the occupancy of a residential dwelling unit by a household. Tenancy is arranged on a month-to-month basis or for a longer period. Uses where tenancy may be arranged for a shorter period (i.e., less than one month) are not considered residential; they are considered to be a form of transient lodging (Retail Sales And Service and Community Service use categories). Apartment complexes that have accessory services such as food service, dining rooms, and housekeeping are included as Household Living, as are Single Room Occupancy housing (SROs) when at least two thirds of the units are rented on a monthly basis and meals are prepared by the residents.

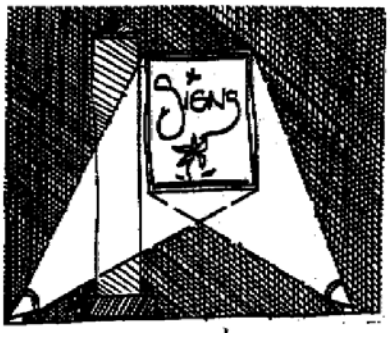
Examples include living in houses, duplexes, apartments, condominiums, retirement center apartments, manufactured housing, houseboats, other structures with self-contained dwelling units, and SROs depending on the number of units rented on a monthly basis and meal preparation.

Exceptions include: (1) Lodging in a dwelling unit or SRO where less than two thirds of the units are rented on a monthly basis is considered a hotel or motel use and is classified in the Retail Sales And Service category. (2) SROs that contain programs which include common dining are classified as Group Living. (3) Guest houses that contain kitchen facilities are prohibited as accessory to Household Living uses. (4) In certain situations, lodging where tenancy may be arranged for periods less than one month may be classified as a Community Service use, such as short term housing or mass shelter.

House of Worship: A church, synagogue, temple, mosque, or other permanently located building primarily used for religious worship. A house of worship may also include accessory buildings for related religious activities and a residence. (5/98)

Incidental Signs [Sign]: A sign which is normally incidental to the allowed use of the property, but can contain any message or content. Such signs can be used for, but are not limited to, nameplate signs, warning or prohibition signs, and directional signs not otherwise allowed. (5/98)

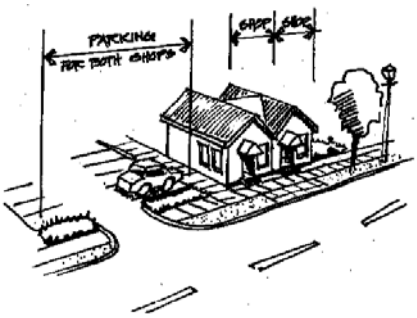
Indirect Illumination [Sign]: A source of illumination directed toward such sign so that the beam of light falls upon the exterior surface of the sign. (5/98)



Indirect Illumination

Infill Development: Residential infill development is development at densities allowed under existing zoning on vacant, or partially used land. Infill development occurs on lands which may have been by-passed in the urbanization process or which may have a use that could be or has been removed. (01/02)

Infill Development Parcel:
Any parcel that meets the criteria for an infill development parcel specified in Section 2.316.03. *(01/02)*



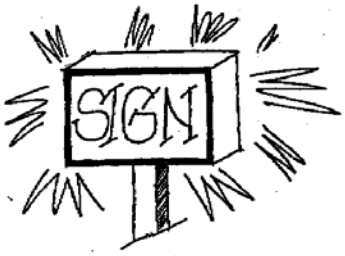
Integrated Business Center - Small

Integrated Business Center [Sign]: A group of two or more businesses which are planned or designed as a center, and share a common off-street parking area or access, whether or not the businesses, buildings or land are under common ownership. (5/98)

Integrated Business Center - Large

Intensification [Greenway]: Any additions which increase or expand the area or amount of an existing use, or the level of activity. Remodeling of the exterior of a structure not excluded below is an intensification when it will substantially alter the appearance of the structure. Maintenance and repair usual and necessary for the continuance of an existing use is not an intensification of use. Reasonable emergency procedures necessary for the safety or the protection of property are not an intensification of use. Residential use of lands within the Greenway includes the practices and activities customarily related to the use and enjoyment of one's home. Landscaping, construction of driveways, modification of existing structures, or construction or placement of such subsidiary structures or facilities adjacent to the residence as are usual and necessary to such use and enjoyment shall not be considered an intensification for the purpose of this Goal. Seasonal increases in gravel operations shall not be considered an intensification of use. (5/98)

Internal Illumination [Sign]: A source of illumination from within a sign. (5/98)



Internal Illumination

Joint Use Sign [Sign]: When two of more businesses combine part or all of their total allowed sign area into free-standing sign for each common frontage of such business. (5/98)

Junk: The term "junk" regardless of value, includes but is not be limited to, any derelict, neglected, or wrecked motor vehicle or parts thereof, glass, paper, waste tire, waste or discarded material, or any of the following old items: machinery or parts thereof, used fixtures, metal, lumber, or wood. For the purposes of this definition the following meanings apply:

Joint Use Sign

1. "Derelict vehicle" means any used motor vehicle without a valid vehicle license or with an expired license. (5/98)
2. "Neglected Vehicle" means a motor vehicle that is missing its engine or transmission, but has all of its body parts intact, including fenders, hood, trunk, glass, and tires. (5/98)
3. "Fixture" means any item that is designed to be used indoors or otherwise protected from the elements. This includes, but is not limited to upholstered furniture, and heating, plumbing, and electrical fixtures. (5/98)
4. "Waste tire" means a tire that is not longer suitable for its original intended purpose because of wear, damage, or defect. (5/98)
5. "Wrecked vehicle" means a motor vehicle that is dismantled, or partially dismantled, or having a broken or missing window or windshield, or lacking a wheel or tire. (5/98)

Junk Yard: The use of more than 200 square feet of the area of any lot for the storage of salvage materials, including scrap metals or other scrap materials, or for the dismantling or "wrecking" of automobiles or other vehicles or machinery, whether or not such uses are conducted as a business for profit or otherwise. (5/98)

Kennel: Any lot or premises on which four or more dogs and/or cats over the age of four months are kept for sale, lease, boarding, or training. (5/98)

Land Division: Any partition or subdivision of a lot or parcel. (5/98)

Land Use Action: An amendment to the City of Keizer Comprehensive Plan or this Ordinance, or a decision on a zone change, variance, conditional use, partitioning or subdivision, or administrative permits, including appeals from any of the foregoing decisions. Issuance of a building permit is not a land use action. (5/98)

Landscaped: Areas primarily devoted to the planting and preservation of trees, shrubs, lawn and other organic ground cover, together with other natural or artificial supplements such as watercourses, ponds, fountains, decorative lighting, benches, arbors, gazebos, bridges, rock or stone arrangements, pathways sculpture, trellises, and screens. (5/98)

Legislative Action: A land use action involving amendments to the Comprehensive Plan, the text of this Ordinance, or an amendment to the Comprehensive Plan map or Zoning map involving more than 5 separate property ownerships. (5/98)

Livestock: Domestic animals of types customarily raised or kept on farms for profit or food. (5/98)

Loading Space: An off-street space or berth on the same lot with a building, or group of buildings, used for the parking of a vehicle while loading or unloading merchandise, materials or passengers. Loading space excludes fire lanes, as they are not considered useable space for loading and unloading. (5/98)

Lot: A unit of land created by a subdivision as defined in ORS 92.010 in compliance with all applicable zoning, subdivision ordinances; or created by deed or land sales contract if there were no applicable zoning, subdivision or partitioning ordinances, exclusive of units of land created solely to establish a separate tax account. Such lots may consist of:

1. Single lot of record;

2. Portion of a lot of record; or

3. Combination of complete lots of record and portions of lots of record. (5/98)

Lot Area: The total area of a lot, measured in a horizontal plane within the lot boundary lines, and exclusive of public and private roads and easements of access to other property. For flag-shaped lots, the access strip shall not be included in lot area for the purposes of minimum lot area requirements of this Ordinance. (5/98)

Lot, Corner: A lot abutting on two intersecting streets, other than an alley or private access easement, where the angle of intersecting streets is no greater than 135 degrees. (5/98)

Lot Coverage: Area covered by buildings and by roofed but unenclosed structures, whether or not attached to buildings. Covered structures less than five feet in height and having less than 20 square feet of gross floor area shall not be included in calculating lot coverage.

Lot Depth: The horizontal distance measured from the midpoint of the front lot line to the midpoint of the rear lot line. (5/98)

Lot, Flag: A lot or parcel of land with access by a relatively narrow strip of land between the major portion of the parcel and the point of public access to the parcel, all of which is in the same ownership. (5/98)

Lot, Frontage: The distance between the two side lot lines measured at the minimum front setback line, parallel to the street line. (5/98)

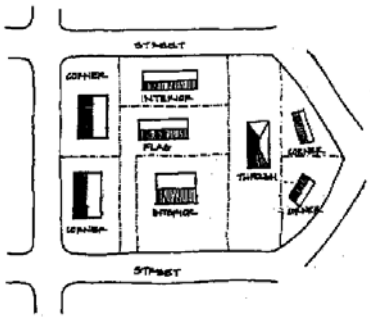
Lot, Interior: A lot other than a corner lot. (5/98)

Lot Line, Front:
A lot line abutting a public street, private street, or access easement. In the case of a corner lot, through lot or a lot where vehicular access is provided off an alley and there is no frontage on a public or private street, the front line is based on the structure's orientation and at least two of the following factors:

a. Location of the front door;
b. Location of the driveway (when accessed off a public or access easement); and/or
c. Legal street address.

For flag lots and lots with access from an easement, the Zoning Administrator shall have the authority to designate another line as the front lot line in which case it shall be clearly noted on the final plat. (01/02)

Lot Line, Rear: A property line which is opposite and most distant from the front lot line. In the case of an irregular, triangular or other shaped lot, a line ten (10) feet in length within the lot, parallel to and at a maximum distance from the front line. (5/98)

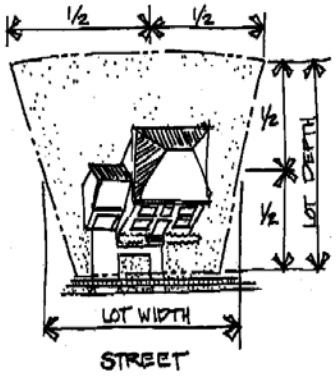


Lot Line, Side: Any property line which is not a front or rear lot line. (5/98)

Lot of Record: A lawfully created lot or parcel established by plat, deed, or contract as duly recorded in Marion County property records. (5/98)

Lot, Through: An interior lot having frontage on two streets. Lots having their access off a private access easement or adjacent to a private access easement shall not be construed as qualifying as through lots. (6/07)

Lot Width: The average horizontal distance between the side lot lines, ordinarily measured parallel to the front lot line. (5/98)



Lot Width and Depth

Lowest Floor [Flood]: The lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access or storage, in an area other than a basement area, is not considered a building's lowest floor, provided that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of this ordinance. (5/98)

Main Entrance: The principle building entrance intended for the use by the general public, employees or residences. A main entrance door may not be a door that is locked during normal business hours. This entrance is designated the address bearing entrance for the purpose of Emergency Responders. (5/98)

Major Public Improvement [Historical]: The expenditure of public funds or the grant of permission by a public body to undertake change in the physical character of property on a resource site, except for the repair or maintenance of existing public improvements. (9/18)

Manufactured Home: A home, a structure with a Department of Housing and Urban Development label certifying that the structure is constructed in accordance with the National Housing Construction and Safety Standards Act of 1974 (42 U.S.C. 5401 et seq.), as amended August 22, 1981 and constructed after June 15, 1976. (5/98)

Manufactured Home [Flood]: A structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when connected to the required utilities. For flood plain management purposes, the term "manufactured home" also includes mobile homes. For insurance and floodplain management purposes, the term "manufactured home" does not include park trailers, travel trailers, and other similar vehicles. (5/98)

Manufactured Home Park: Any place where four or more manufactured homes are located within 500 feet of one another on property under the same ownership, the primary purpose of which is to rent or lease space to any person, or, to offer space free in connection with securing the trade or patronage of such person. A person shall not construct a new manufactured home park or add lots to an existing manufactured home park without approval by the Department of Commerce. "Manufactured home park" does not include a lot or lots located within a subdivision

being rented or leased for occupancy by no more than one manufactured home per lot if the subdivision was approved pursuant to this Ordinance. (5/98)

Manufactured home park or subdivision [Flood]: A parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale. (5/98)

Marijuana Grow Site: A Marijuana Grow Site that is registered by the Oregon Health Authority Under ORS 475.304 or applicable state law at a specific location used by a grower to produce marijuana for medical use by specific qualifying patients. (10/14)

Marijuana Processor: A Marijuana Processor means a person who processes marijuana items in this state and is licensed by the Oregon Liquor Control Commission under applicable state law. (1/16)

Marijuana Producer: A Marijuana Producer means a person who produces marijuana in this state and is licensed by the Oregon Liquor Control Commission under applicable state law. (1/16)

Marijuana Retailer: A Marijuana Retailer is a person who sells marijuana items to a consumer in this state and is licensed by the Oregon Liquor Control Commission under applicable state law. (1/16)

Marijuana Wholesaler: A Marijuana Wholesaler means a person who purchases marijuana items in this state for resale to a person other than a consumer and is licensed by the Oregon Liquor Control Commission under applicable state law. (1/16)

Master Plan: A presentation showing the ultimate development lay-out of a parcel or property that is to be developed in successive stages or subdivisions. (5/98)

Mean sea level [Flood]: For purposes of the National Flood Insurance Program, the National Geodetic Vertical Datum (NGVD) of 1929 or other datum, to which base flood elevations shown on a community's Flood Insurance Rate Map are referenced. (5/98)

Medical Marijuana Facility or Facilities: A Medical Marijuana Facility that is registered by the Oregon Health Authority under ORS 475.300-475.346 or other applicable state law and that sells, distributes, transmits, gives, dispenses or otherwise provides Medical Marijuana to qualifying patients. *In addition, as allowed by state law and applicable regulation only, "early sales" of recreational marijuana is permitted.**
*(THIS AMENDMENT SUNSETS ON DECEMBER 31, 2016 AND IS OF NO FORCE OR EFFECT AFTER SUCH DATE). (10/15)

Message Sign [Sign]: A sign which can change its message electronically and is designed to display various messages, including but not limited to signs displaying time and temperature. (5/98)

Mini-Storage Warehouse: An area or areas located within an enclosed building or structure used only in connection with the storage of personal property. (5/98)

Mobile Food Vendor: A non-permanent use that typically is a truck, van, or trailer which have their wheels intact and have been outfitted to prepare and serve food. (9/16)

Mobile home [Flood]: A vehicle or structure, transportable in one or more sections, which is eight feet or more in width, is 32 feet or more in length, is built on a permanent chassis to which running gear is or has been attached, and is designed to be used as a dwelling with or without permanent foundation when connected to the required utilities. Such definition does not include any recreational vehicle as defined by this Section. (5/98)

Modular or Prefabricated Home: A dwelling unit whose components are assembled and brought to the site and erected. The dwelling unit is intended and designed to be placed upon a permanent foundation and substantial construction is needed before it is complete and ready for permanent occupancy. Modular or prefabricated homes are regulated by the Uniform Building Code (UBC). (5/98)

Motel: A building or group of buildings on the same lot containing rooms designed for lodging, with our without cooking facilities, which are available for rent and in which each lodging unit has a separate entrance from the building exterior. The term includes auto courts, tourist courts, tourist homes, and motor lodges. (5/98)

Multi-faced Sign [Sign]: A sign which has 2 or more identical sign faces, contained in a single sign structure. (5/98)

Multi-Faced Sign

Multi-family Dwelling [Sign]: A residential structure or complex of structures which include 3 or more separate dwelling units, whether rented or owned by the occupants. (5/98)

Mural [Sign]: An illustration (with or without words or numbers) which is painted or otherwise applied (without projections) to an outside wall of a structure, or, inside the window of a structure. (5/98)

Natural Register Resource: Buildings, structures, object, sites, or districts listed in the National Register of Historic Places pursuant to the National Historic Preservation Act of 1966 (PL 89-665; 16 U.S.C. 470). (9/18)

Neighborhood Activity Center: A use, or combination of uses, which is a common destination or focal point for community activities, including primary and secondary schools, neighborhood parks and playgrounds and shopping centers. (5/98)

Neighborhood Association: An association recognized by the City Council as being a Neighborhood Association in accordance with the Neighborhood Association Ordinance. (5/98)

New Construction: Structures for which construction was initiated on or after the effective date of this Ordinance. (5/98)

New Construction [Flood]: Structure(s) for which the start of construction commenced on or after the original effective date of the Floodplain Overlay Zone. (5/98)

Nonconforming Sign [Sign]: Any sign which lawfully exists prior to the effective date of this chapter but, which due to the requirements adopted herein, no longer complies with the height, area and placement regulations or other provisions of these regulations. (5/98)

Non-Conforming Structure or Use: A lawfully existing structure or use at the time this Ordinance, or any amendments, becomes effective, which does not conform to the requirements of the zone in which it is located. (5/98)

Notification Area: An area bounded by a line, parallel to the boundary of a subject lot. As used in this section "subject lot" includes not only the lot that is the subject of the proceeding for which notice is required, but also includes any contiguous lot in which any applicant or owner of the subject lot has either sole, joint, or common ownership, or an option to purchase, in whatever form. In the event that the application does not apply to the entire lot, the boundary of the notification area shall be measured from the lot line, not the boundary of the portion of the lot. (5/98)

Notification List: A certified list prepared by a Title Company, the Marion County Assessor's Office or the City which includes the names and addresses of all property owners within the notification area as shown in the County Assessor's records. (5/98)

Nudity or nude [Adult]: Being devoid of an opaque material covering the human genitals, pubic region, buttocks, and female breasts below a point immediately above the top of the areola and where such opaque material does not simulate the organ covered. (5/98)

Nursing Home: A home, place or institution which operates and maintains facilities providing convalescent and/or nursing care for period exceeding 24 hours. Convalescent care may include, but is not limited to, the procedures commonly employed in the nursing and caring for the aged and includes rest homes and convalescent homes, but does not include a boarding home for the aged, a retirement home, hotel, hospital, or a chiropractic facility licensed under ORS. (5/98)

Obstruction [Flood]: Any dam, wall, wharf, embankment, levee, dike, pile, abutment, projection, excavation, channel bridge, conduit, culvert, building, wire,

fence, rock, gravel, refuse, fill, structure or matter in, along, across or projecting into any channel, watercourse, or regulatory flood hazard area which may impede, retard or change the direction of the flow of water, either in itself or by catching or collecting debris carried by such water, or that it is placed where the flow of water might carry the same downstream to the damage of life or property. (5/98)

Official Zoning Map: The map which indicates the zones in the City of Keizer. (5/98)

Original Jurisdiction: The authority and responsibility for rendering the first decision in a land use proceeding. (5/98)

Owner: The owner of record of real property as shown on the latest tax rolls or deed records of the county, or a person who is purchasing a parcel or property under written contract. (5/98)

Owner [Sign]: As used in these regulations, "owner" means owner or lessee of the sign. If the owner or lessee of the sign cannot be determined, then "owner" means owner or purchaser of the land on which the sign is placed. (5/98)

Parcel: A unit of land that is created by a partitioning of land. (5/98)

Parking Lot or Area: An open area, building or structure, other than a street or alley, used for the parking of automobiles and other motor vehicles and available for use by persons patronizing a particular building, establishment or area. (5/98)

Parking Space: A designated space in a parking lot or area for the parking of one motor vehicle. (5/98)

Partial Harvesting of Timber [Greenway]: A timber harvest that leaves at least 25 percent of the trees at least 6 inches DBH standing beyond the vegetative fringe. (5/98)

Partition: To divide an area or tract of land into two or three parcels within a calendar year when such area or tract of land exists as a unit or contiguous units of land under single ownership at the beginning of such year. "Partition" does not include:

1. Divisions of land resulting from lien foreclosures, divisions of land resulting from contracts for the sale of real property, and divisions of land resulting from the creation of cemetery lots; or,

2. Any adjustment of a lot line by the relocation of a common boundary where an additional parcel is not created and where the existing parcel reduced in size by the adjustment is not reduced below the minimum lot size established by any applicable zoning ordinance; or,

3. A sale or grant by a person to a public agency or public body for state highway, county road, or other right-of-way purposes provided that such road or right-of-way complies with the applicable comprehensive plan and ORS 215.213 (2)(q) to (s) and 215.283 (2)(p) to (r). (5/98)

Pedestrian Circulation System: Pedestrian connection(s) between building entrance(s) of the proposed development and adjacent street(s), the parking area, and the existing or future development on adjacent properties. (5/98)

Pedestrian Facilities: Improvements which provide for public pedestrian foot traffic including sidewalks, walkways, crosswalks and other improvements, such as lighting or benches, which provide safe, convenient and attractive walking conditions. (5/98)

Pedestrian Scale Lighting: Light standards or placement no greater than 14 feet in height located along walkways. (5/98)

Permit (noun): Any action granting permission to do an act or to engage in activity where such permission is required by this Ordinance. (5/98)

Permitted Use: Those uses permitted in a zone that are allowed without obtaining a conditional use permit. (5/98)

Person: Every natural person, firm, partnership, association, social or fraternal organization, corporation, estate, trust, receiver, syndicate, branch of government, or any other group or combination acting as a unit. (5/98)

Pet: A domestic animal customarily kept, and cared for, by the occupants of a dwelling for personal pleasure, and which are not raised for food, fur, or monetary gain. Typically, dogs, cats, birds and other small mammals and reptiles, but not including fowl, herd animals, pigs, goats or horses of any type or breed. (5/98)

Place of Public Assembly: Structure or place where 50 or more people gather which the public may enter for such purposes as deliberation, education, worship, shopping, entertainment, amusement, awaiting transportation or similar activity. (5/98)

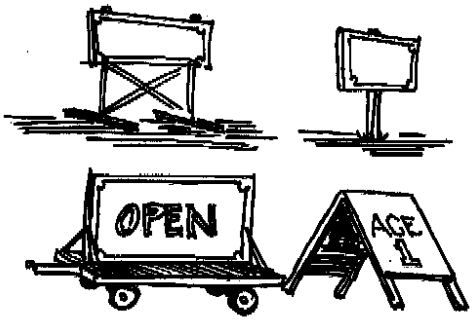
Plan Map: An officially adopted map of the City, including urban growth boundary, showing land use designations identified in the Comprehensive Plan. (5/98)

Planned Unit Development: A type of development of a site which, as a single project, is based on a design which incorporates all elements of land, structures and uses in conformance with the applicable standards of this Ordinance. (5/98)

Planning Commission: The Planning Commission of Keizer, Oregon. (5/98)

Plat: The final map which is a diagram, drawing, re-plat or other writing containing all the descriptions, locations, specifications, dedications, provisions, and information concerning a subdivision or partition. (5/98)

Portable Sign [Sign]: Any sign that is not originally designed to be permanently affixed to a building, structure, or the ground. A sign originally designed, regardless of its current modification, to be moved from place to place. These signs primarily include, but are not limited to, A-frame or sandwich board signs, signs attached to wood or metal frames and designed to be self supporting and movable, and also including trailer reader boards. Portable signs are not to be considered temporary signs as defined and used in this chapter. (5/98)



Portable Signs

Primary Building Façade:
Primary building façade means the side of a building that faces the street and has a main pedestrian entrance from the street. (01/02)

Professional Office: An office occupied by an accountant, architect, attorney-at-law, engineer, surveyor, city or regional planner, insurance agent, real estate broker, landscape architect, or practitioner of the human healing arts, or other professional business similar in type, scale and character. (5/98)

Property Line Adjustment: The realignment of a common boundary between two or more abutting lots or parcels which does not involve the creation of a new lot or parcel. (6/16)

Projecting Sign

Projecting Signs [Sign]: A sign the face of which is not parallel to the wall on which it is mounted, projecting more than 12 inches from a structure. (5/98)

Public Facilities and Services: Projects, activities, and facilities which are necessary for the public health, safety, and welfare. These may include, but are not limited to, water, gas, sanitary sewer, storm sewer, electricity, telephone and wire communication service, and cable television service lines, mains, pumping stations, reservoirs, poles, underground transmission facilities, substations, and related physical facilities which do not include buildings regularly occupied by employees, parking areas, or vehicle, equipment or material storage areas. (5/98)

Quasi-Judicial Review: A decision affecting land use within the City which requires the interpretation and/or amendment of existing standards or maps contained in this Ordinance. (5/98)

Ramada: A stationary structure having a roof extending over a manufactured home, which may also extend over a patio or parking space and is used principally for protection from the elements. (5/98)

Real Estate Sign [Sign]: A sign for the purpose of rent, lease, sale, etc. of real property, building opportunities, or building space. (5/98)

Rear Lot Line: See "Lot Line, Rear." (5/98)

Recreational Vehicle [RV Park]: A unit, with or without motive power, which is designed for human occupancy and intended to be used for recreational or temporary living purposes. (5/98)

Recreational vehicle includes:

1. Camping Trailer: A non-motorized vehicle unit mounted on wheels and constructed with sides that can be collapsed when the unit is towed by another vehicle. (5/98)
2. Motor Home: A vehicular unit built on or permanently attached to a motorized vehicle chassis cab or van which is an integral part of the complete vehicle. (5/98)
3. Travel Trailer: A vehicular unit without motive power which has a roof, floor, and sides and is mounted on wheels and designed to be towed by a motorized vehicle, but which is not of such size or weight as to require special highway movement permits. (5/98)
4. Truck Camper: A portable unit which has a roof, floor, and sides and is designed to be loaded onto and unloaded out of the bed of a truck or pick-up truck. (5/98)
5. Boat, licensed or unlicensed, including trailer. (5/98)
6. All-terrain vehicle (ATV). (5/98)

Recreational vehicle [Flood]: A "camper," "motor home," "travel trailer," as defined in ORS 801.180, 801-350, and 801-565 that is intended for human occupancy and is equipped with plumbing, sinks, or toilet, and does not meet the definition of a Mobile Home (Flood), of this Section. (5/98)

Recreational Vehicle Park [RV Park]: Any area operated and maintained for the purposes of providing space for overnight use by recreational vehicles. (5/98)

Recreational Vehicle Space [RV Park]: The area under a parked and occupied recreational vehicle. (5/98)

Recycling Depot: A area used for the collection, sorting, and temporary storage of non-putrescible waste and discarded materials which are taken elsewhere to be re-used or recycled. This definition does not include drop stations. (5/98)

Repair: The reconstruction or renewal of any part of an existing building for the purpose of its maintenance. The word "repair" or "repairs" shall not include structural changes. (5/98)

Residential Facility: A facility licensed by or under the authority of the Department of Human Resources under ORS 443.400 to 443.460 which provides residential care alone or in conjunction with treatment or training or a combination thereof for six to fifteen individuals who need not be related. Staff persons required to meet Department of Human Resources licensing requirements shall not be counted in the number of facility residents, and need not be related to each other or to and resident of the residential facility. (5/98)

Residential Home: A home licensed by or under the authority of the Department of Human Resources under ORS 443.400 to 443.825 which provides residential care alone or in conjunction with treatment or training or a combination thereof for five or fewer individuals who need not be related. Staff persons required to meet Department of Human Resources licensing requirements shall not be counted in the number of facility residents, and need not be related to each other or to any resident of the residential facility. (5/98)

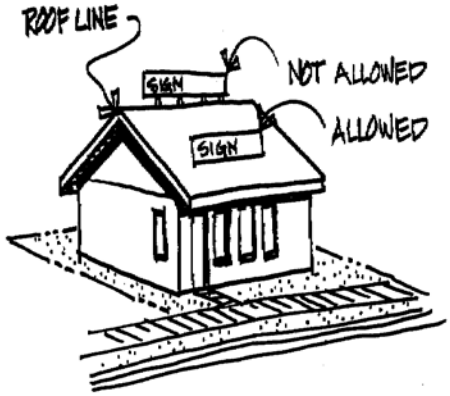
Resource [Historical]: A site, object, building, or structure designated by the Council under Section 2.127.04. (9/18)

Retail Trade: The process of selling to the consumer for direct consumption and not for resale. (5/98)

Right-of-Way: The full length and width of a public street or way, planned or constructed. (5/98)

Roof Line [Sign]: Either the eaves of the roof or the top of the parapet, at the exterior wall. A "mansard roof" is below the top of a parapet and is considered a wall for sign purposes. (5/98)

Roof Sign [Sign]: A sign or any portion of which is displayed above the highest point of the roof, whether or not such sign also is a wall sign. (5/98)



Roof Line & Roof Sign

Rooming and Boarding House: A residential building or portion thereof with guest rooms, providing lodging, or lodging and meals, for 3 or more persons for compensation. (5/98)

Rotating/Revolving Sign [Sign]: A sign, all or a portion of which, moves in some manner. (5/98)

School, Elementary, Middle School, or High School: An institution, public or parochial, offering instruction in the several branches of learning and study, in accordance with the rules and regulations of the State Department of Education. (5/98)

School, Trade or Commercial: A building where the instruction is given to pupils for a fee, which fee is the principal reason for the existence of the school. (5/98)

Scrap and Waste Materials Establishment: An business that is maintained, operated or used for storing, keeping, buying or selling old or scrap copper; brass, rope, rags, batteries, paper, rubber, or debris; waste or junked, dismantled, wrecked, scrapped, or ruined motor vehicles or motor vehicle parts (except wrecking yards), iron, steel, or other old scrap metal or non-metal materials. Scrap and waste materials establishments does not include drop stations, solid waste transfer stations, or recycling depot. (5/98)

Semi-Public Use: A structure or use intended for a public purpose by a non-profit organization. (5/98)

Serial additions, alterations or expansions: Two or more additions, alterations or expansions to the existing building gross floor area and/or impervious surface area within a 3-year time period. (12/03)

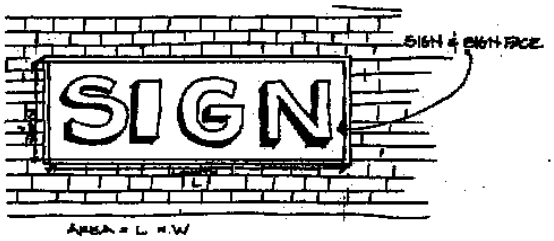
Service Station: A site and associated buildings designed for the supplying of motor fuel, oil, lubrication and accessories to motor vehicles, but excluding major repair and overhaul. "Major repair and overhaul", as used in this definition, shall be considered to include such activities at painting, bodywork, steam cleaning, tire recapping, and major engine or transmission overhaul or repair involving the removal of a cylinder head or crankcase. (5/98)

Setback: The distance between a specified lot line and the foundation or exterior wall of a building or structure. (5/98)

Side Lot Line: See "Lot Line, Side." (5/98)

Sign [Sign]: Any writing, including letter, word, or numeral; pictorial presentation, including mural, illustration or decoration; emblem, including device, symbol or trademark; flag, including banner or pennant; or any other device, figure or similar thing which is a structure or any part thereof, or is attached to, painted on, or in any other manner represented on a building or structure or device; and is used to announce, direct attention to, or advertise; and is visible from any public right-of-way. (5/98)

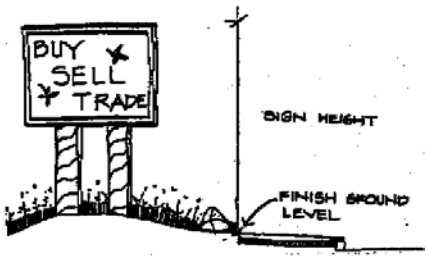
Sign Face [Sign]: Surface of a sign containing the message. The sign face shall be measured as set forth in Section 15.10(2). (5/98)



Sign Face

Sign Height [Sign]: The distance from the finish ground level, to the top of the sign or the highest portion of the sign structure or frame, whichever is greater. (5/98)

Sign Structure [Sign]: The supports, uprights, braces, framework and other structural components of the sign. (5/98)



Sign Height

Site, Development, or Complex: A group of structures or other development that is functionally or conceptually integrated, regardless of the ownership pattern of the development or underlying land. (5/98)

Solid Waste Transfer Station: A fixed or mobile facility, used as an adjunct to collection vehicle(s), resource recovery facility, disposal site between the collection of the waste/solid waste and disposal site, including but not limited to, another vehicle, a concrete slab, pit, building, hopper, railroad gondola or barge. The term does not include a self-propelled compactor type solid waste collection vehicle into which scooters, pick-ups, small packers or other satellite collection vehicles dump collected solid waste for transport to a transfer, disposal, landfill or resource recovery site or facility. (5/98)

Space, Manufactured Home: An area or lot reserved exclusively for the use of a manufactured home occupant. This definition excludes individual lots within a subdivision. (5/98)

Special Permitted Use: A use which is a permitted use in a particular zone subject to compliance with the applicable standards of Section 2.400. (5/98)

Specified sexual activities [Adult]: Real or simulated acts of sexual intercourse, human/animal sexual intercourse, masturbation, sadomasochistic abuse, sodomy or the exhibition of human organs in a simulated state, or the characterization thereof in a printed or visual form, or fondling or other erotic touching of human genitals, pubic region, buttocks, or female breasts. (5/98)

Standard Industrial Classification (SIC): The document so entitled, published in 1987 by the Office Management and Budget, and used in this Ordinance to identify land uses. (5/98)

Start of Construction: The actual start of construction, repair, reconstruction, placement or other improvement. (5/98)

Start of Construction [Flood]:

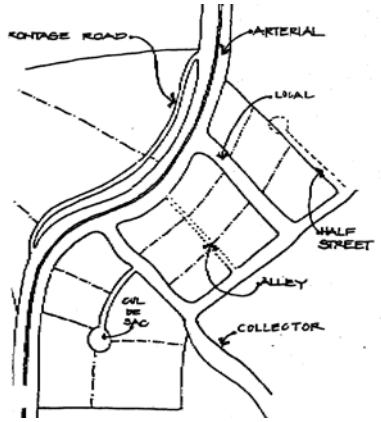
1. The first placement or permanent construction of a structure (other than a mobile/manufactured home) on a site, such as the pouring of slabs or footings or any work beyond the stage of excavation. Permanent construction does not include land preparation, such as clearing, grading, and filling, nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not used as part of the main structure. (5/98)

2. For a structure (other than a mobile/manufactured home) without a basement or poured footings, the "start of construction" includes the first permanent framing or assembly of the structure or any part thereof on its piling or foundation. (5/98)

3. For mobile/manufactured homes not within a mobile/manufactured home park or manufactured home subdivision, "start of construction" means affixing of the mobile/manufactured home to its permanent site. For mobile/manufactured homes within mobile/manufactured home parks or manufactured home subdivisions, "start of construction" is the date on which the construction of facilities for servicing the site on which the mobile/manufactured home is to be affixed (including at a minimum, the construction of streets with final site grading or the pouring of concrete pads, and installation of utilities) is completed. (5/98)

Story: That portion of a building included between the upper surface of any floor and the upper surface of the floor next above, except that the top-most story shall be that portion of a building included between the upper surface of the top-most floor and the ceiling or roof above. Any basement, as defined herein, that is habitable shall be deemed a story for the purpose of administering all fire, life, safety codes including the Uniform Fire Code. (5/98)

Street: The entire width between the boundary lines of every way of travel which provides for ingress and egress for vehicular and pedestrian traffic and the placement of utilities to one or more lots, parcels, areas, or tracts of land. Streets shall follow the locally adopted street designations. A private way created to provide ingress and egress to land in conjunction with the use of such land for forestry, mining, or agricultural purposes is excluded from this definition. (5/98)



Street Types

1. Alley: A narrow street through a block used primarily for access by service vehicles to the back or side of properties fronting on another street. (5/98)

2. Arterial: A street of considerable continuity which is used primarily for through traffic and interconnection between major areas of the City. (5/98)
3. Collector: A street supplementary to the arterial street system, used partly by through traffic and partly for access to abutting properties. (5/98)

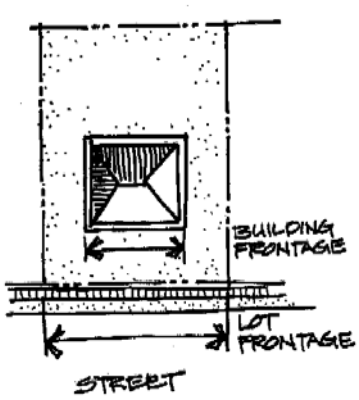
4. Cul-de-sac (dead-end): A short street with one end open to traffic and the other terminated by a vehicle turn-around. (5/98)

5. Half Street: A portion of the width of a street, usually along the edge of a subdivision, where the remaining portion of the street could be provided in another subdivision of development. (5/98)

6. Frontage Road, Marginal Access Road: A service road parallel and adjacent to a major arterial street providing access to abutting properties, but protected from through traffic. (5/98)

7. Local Street: A street intended primarily for access to abutting properties, but protected from through traffic. (5/98)

8. Private Access Easement: A right-of-way across private property granted by the property owner to owners of one or more lots and allowing vehicles access from a street or roadway to those lots. (5/98)



Street & Building Frontage

Street Frontage [Sign]: That portion of a property which abuts a paved street right-of-way and measured by the lineal distance of the property adjacent to such right-of-way. (5/98)

Structural Alteration: Any change to the supporting members of a structure, including foundation bearing walls or partitions, columns, beams or girders, or any structural change in the roof or in the exterior walls. (5/98)

Structure: That which is built or constructed, an edifice or building of any kind, or a piece of work artificially built up or composed of parts joined together in some definite manner. (5/98)

Structure [Flood]: Roofed buildings that have two or more walls, and gas or liquid storage tanks that are principally above ground. (5/98)

Subdivide: To divide an area or tract of land into four or more parcels within a calendar year for the purpose of transfer of ownership or building development, whether immediate or future, when such parcel exists as a unit or contiguous units under a single ownership as shown on the tax roll for the year preceding the division of property. (5/98)

Subdivision: All divisions of property which create four or more lots in a single calendar year. (5/98)

Subject Property: The lot or parcel that is the location of the proposed use or structure. (5/98)

Substantial Improvement [Flood]: Any repair, reconstruction, addition, rehabilitation or other improvements of a structure, the cost of which exceeds 50% of the market or assessed value of the structure before the start of construction of the improvement:

1. Before the improvement or repair is started; or

2. If the structure has been damaged and is being restored, before the damage occurred. For purposes of this definition, "substantial improvement" is considered to occur when the first alteration of any wall, ceiling, floor or other structural part of the building commences whether or not that alteration affects the external dimensions of the structures. The term does not include:

    a. Any project to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local building code enforcement official and which are the minimum necessary to assure safe living conditions, or

    b. Any alteration of a structure listed on the National Register of Historic Places or State Inventory of Historic Places, provided, the alteration will not preclude the structure's continued designation as an historic structure. (5/98)

Substantial or significant portion [Adult]: More than 10 percent of the total cost of the inventory of merchandise for sale in the establishment, whether at wholesale or retail, or more than 10 percent of the establishment's gross sales per month, whether wholesale or retail, or more than 10 percent of a film or video or live performance. (5/98)

Temporary Business: A business of a temporary nature authorized through a Temporary Business Permit issued by the City of Keizer. (12/03)

Temporary Sign [Sign]. A sign not permanently affixed to a structure on a property. These signs primarily include, but are not limited to, canvas, cloth, or paper banners

or posters hung on a building wall or on a permanent pole such as on a free-standing sign support. (5/98)

Temporary Use: A primary, secondary, or accessory use that occurs on a lot for less than 6 months in any calendar year, or a lesser period as prescribed by this Ordinance. (5/98)

Trailer (Travel or Vacation): See Recreational Vehicle. (5/98)

Transit Facilities: Transit related improvements including, but not limited to, bus pullouts, shelters, waiting areas, information and directional signs, benches and lighting. (5/98)

Transit Route: An existing or planned route for public intra-city or intra-urban transit service in the local or regional transit plan. Transit routes do not include temporary routes or routes which are planned to be replaced or relocated in the relevant plan. Transit routes are also referred to as transit streets and transit corridors. (5/98)

Transit Stop: Improvements and facilities at selected points along transit routes for passenger pick-up, drop-off, and waiting. Facilities and improvements may include shelters, benches, pavement, sign structures and other improvements to provide security, protection from the weather and access to nearby services. (5/98)

Transit Street: All streets designated by the adopted Transportation Plan as a major or minor arterial street plus any street used as an existing bus route. (5/98)

Transmission Facility: High voltage power lines and related support structures used to convey electricity from a power generator facility to electric substations along a line or corridor. (5/98)

Transmission Towers: A single structure and related unoccupied buildings transmitting or relaying electronic signals to the surrounding area or along a communication corridor including radio and television transmitters and microwave relay station. (5/98)

Travel Trailer Parks: Recreational Vehicle Park. (5/98)

Urban Growth Boundary: An adopted boundary around the City which defines the area in which the City expects to grow, where public facilities will be extended, and where joint planning responsibilities are exercised with Marion County. (5/98)

Uniform Building Code (UBC): The code of building design and construction standards adopted by the City of Keizer. (5/98)

Use: The purpose for which land or a structure is designed, arranged or intended, or, for which it is occupied or maintained. (5/98)

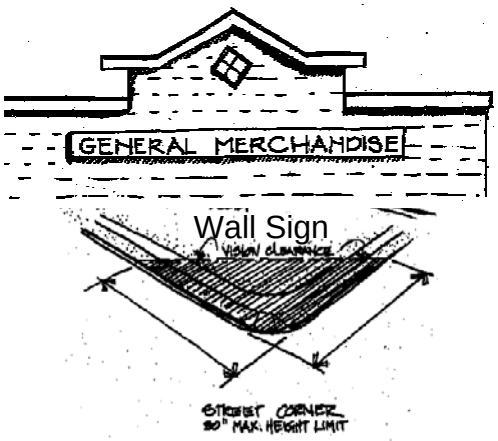
Utility: See "Public Facilities and Services." (5/98)

Vanpool: A group from 5 to 15 commuters, including the driver, who share the ride to and from work or other destinations on a regularly scheduled basis. (5/98)

Vegetative Fringe [Greenway]: A line generally parallel with the water line at least 30 feet upland from the ordinary high water mark including riparian and other vegetation screening upland development or activity areas from visibility from the water surface in the summer months. (5/98)

Vehicle: For purpose of this Ordinance vehicle shall have the same meaning as the definition in the rules and regulations of the Oregon Department of Transportation Driver and Motor Vehicle Division. (5/98)

Veterinary Clinic: A facility designed to contain treatment and temporary care facilities for domestic animals, including both pets and farm animals, under the direction of a licensed veterinarian. (5/98)



Vision Clearance Area

Vision Clearance Area: A triangular area at the intersection of two streets, or a street and a driveway, two sides of which are lines measured from the corner intersection for a specific distance. The third side of the triangle is a line across the corner of the lot joining the ends of the other two sides. Where the lines at the intersections have rounded corners the lines will be extended in a straight line to a point of intersection. The vision clearance area shall be measured from the face of the curb and extend at right angles the designated distance in both directions along the intersection. Where there is no curb, the vision clearance area shall be measured from the edge of the pavement and extend at right angles for the appropriate distance in both directions along the intersection. (5/98)

Wall Sign [Sign]: A sign attached to, erected against or painted on a wall of a building or structure, with the exposed face of the sign in a plane approximately parallel to the face of said wall and not projecting more than 12 inches. A sign painted on an awning in which the face of the sign is approximately parallel to and within 3.5 feet of the wall shall also be considered a wall sign. (5/98)

Warehouse: A place for the safekeeping of goods and materials for an industrial or commercial enterprise (also see "Mini-Storage Warehouse). (5/98)

Water-Dependent [Greenway]: A use or activity which can be carried out only on, in or adjacent to water areas because the use requires access to the water body for water-borne transportation, recreation, energy production, or source of water. (5/98)

Water-Related [Greenway]: Uses which are not directly dependent upon access to a water body, but which provide goods or services that are directly associated with water-dependent land or waterway use, and which, if not located adjacent to water, would result in a public loss of quality in the goods or services offered. Except as necessary for water-dependent or water-related uses or facilities, residences, parking lots, spoil and dump sites, roads and highways, restaurants, businesses, factories and trailer parks are not generally considered dependent on or related to water location needs. (5/98)

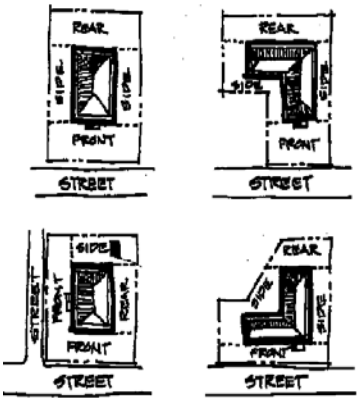
Watercourse [Flood]: A natural or artificial channel in which a flow of water occurs either continually or intermittently in identified floodplain. (5/98)

Wholesale Trade: The bulk sale of goods for resale to a person other than the direct consumer. (5/98)

Wrecking Yard: Property used for the business of buying, selling or dealing in vehicles and parts for the purpose of wrecking, dismantling, disassembling and offering for sale a used vehicle or components, and is licensed under the laws of the State for that purpose. "Vehicles" include all means of transportation that are registered with the Department of Motor Vehicles. (5/98)

Yard, Front: A yard extending across the full width of the lot, the depth of which is the minimum horizontal distance between the front lot line and a line parallel to the nearest point of the foundation of the main building, excluding easements. (5/98)

Yard, Rear: A yard extending across the full width of the lot between the most rear portion of a main building and the rear lot line; but for determining the depth of the required rear yard, it shall be measured horizontally from the nearest point of the rear lot line; or, if the rear lot line adjoins an alley, then from the centerline of the alley, toward the nearest part of the foundation of the main building, excluding easements. (5/98)



Yards

Yard, Side: A yard, between the main building and side lot line, extending from the front yard, or front lot line where no front yard is required, to the rear yard. The width of the required side yard shall be measured horizontally from the nearest point of the side lot line toward the nearest part of the foundation of the main building, excluding easements. (5/98)

Zero Lot Line Wall:
Zero lot line wall means any exposed building wall that is constructed along the lot line as part of a zero lot line development and is visible from the public right-of-way or access easement. This definition includes any building wall that may be part of a zero lot line development and set off the property line but closer to the property line than would normally be required by yard or setback requirements of the zone. (01/02)

Zero Side Yard Dwelling Unit: An attached or detached dwelling unit constructed contiguous to a side lot

Zero Side Yard Dwelling Unit

2.102 SINGLE FAMILY RESIDENTIAL (RS)

2.102.01 Purpose

The purpose of the RS (Single Family Residential) zone is to allow development of single family homes on individual lots provided with urban services at low urban densities. Other uses compatible with residential development are also appropriate. These areas are designated as Low Density Residential in the Comprehensive Plan. (5/98)

2.102.02 Permitted Uses

The following uses, when developed under the applicable development standards in this Ordinance, are permitted in the RS zone:

A. **Detached single family dwelling** on a lot. (5/98)

B. **Residential homes**. (5/98)

C. **Family day care provider**, for 16 or fewer children consistent with state regulations. (4/16)

D. **Public or private utility substation**, but excluding communication towers and electrical substations. (5/98)

E. **Child foster home** for five or fewer children.(6/99)

2.102.03 Special Permitted Uses

The following uses, when developed under the applicable development standards in this Ordinance and special development requirements, are permitted in the RS zone:

A. **Partitions**, subject to the provisions in Section 2.310. (5/98)

B. **Subdivision**, subject to the provisions in Section 2.310. (5/98)

C. **Planned unit development**, subject to the provisions in Section 2.311. (5/98)

D. **Accessory structures** and uses prescribed in Section 2.203.02. (5/98)

E. Transit Facilities (Section 2.305). (Ordinance No. is 2009-586, 5/09)

F. The following special uses subject to the applicable standards in Section 2.400. (5/98)

1. **Duplex** on a corner lot (Section 2.403). (5/98)

2. **Shared housing** Facilities (Section 2.403). (5/98)

3. **Zero side yard dwelling** units (Section 2.404). (5/98)

4. **Home occupations** (Section 2.407). (5/98)

5. **Residential sales offices** (Section 2.409). (5/98)

6. **Public golf course** (7992) or membership recreation club having golf course (7997) (Section 2.410). (5/98)

7. **House of Worship** (Section 2.423). (5/98)

8. **Manufactured homes** on individual lots (Section 2.402). (5/98)

9. **Recreational vehicle storage** space (Section 2.413). (5/98)

10. **Electrical substation** (Section 2.426) (5/98)

11. **Wireless Telecommunication Facilities (Section 2.427)** (5/98)

12. **Manufactured home parks** (Section 2.405). (5/98)

13. **Public Water Supply** (Section 2.430) (06/10)

2.102.04 Conditional Uses

The following uses may be permitted subject to obtaining a conditional use permit. Development of the site may also require compliance with development standards in Section 2.4. (5/98)

A. **Elementary schools** (Section 2.424). (5/98)

B. **Public parks, playgrounds, community clubs** including swimming, tennis and similar recreation facilities; and other public or semi-public uses. (5/98)

C. **Civic, social and fraternal organizations** (864). (5/98)

D. **Day care facility** for 17 or more children consistent with state regulations. (4/16)

E. **Bed and breakfast establishment** (Section 2.408). (5/98)

F. **Use of a mobile home as a temporary hardship dwelling** (Section 2.406) (5/98)

G. **Child foster home** for six, seven or eight children, providing such home:

1. Is properly accredited by the Council on Accreditation on Child and Family Programs;
2. Be located on a lot of no less than 16,000 square feet;
3. The lot shall be located on an arterial or major collector street;
4. Shall be no less than 2,400 square feet in size, excluding attached garages, carports, patios, and all unfinished space;
5. Shall have setbacks for all structures of no less than 16 feet on each side and 30 feet along the back of the property;
6. Shall have usable paved off-street parking for no less than 6 vehicles, plus one additional usable off-street paved parking space is to be provided for each foster child that owns or is the principal driver of any vehicle;
7. At least on half of the lot area (no less than 8,000 square feet) shall consist of open space, grass and landscaping, including landscaping area at least 8 feet wide for permanent visual screening along the sides and back of the property. (which landscaping along sides and back of the property shall be designed for a minimum height of no less than 6 feet after five years) Decks, patios, paved areas, and parking areas, (paved or unpaved) shall not be included when calculating the amount of required open space, grass and landscaping.
8. Is not located within one-half (1/2) mile of another child foster home of six to eight children, as measured between the closest lot lines of the existing child foster home and the proposed child foster home.

All child foster homes shall meet all applicable laws and regulations, including, but not limited to, applicable building codes.(6/99)

H. Transit Station (Section 2.429). (5/09)

I. Cottage Cluster Development with or without the creation of any new lots (Section 2.432). (6/14)

2.102.05 Dimensional Standards

The following dimensional standards shall be the minimum requirements for all development in the RS Zone except for modifications permitted under Section 2.202, General Exceptions or as required in Section 2.4. (5/98)

A. Minimum Lot Dimension and Height Requirements

DIMENSION	Residential Uses	Non-Residential Uses
Lot Size	4000 square feet (1)	(2)
Average Width	40 feet	None
Average Depth	70 feet	None
Maximum Height	35 feet	(3)

(1) Newly created lots or parcels less than 5000 square feet in area shall be limited to zero lot line dwellings (2.404). (5/98)
(2) Parcel size shall be adequate to contain all structures within the required yard setbacks. (5/98)
(3) 50 Feet - Required setbacks shall increase 1 foot for every foot the height exceeds 35 feet. (5/98)

B. Minimum Yard Setback Requirements

SETBACKS	Residential Uses	Non-Residential Uses
Front (5)	10 feet	20 feet
Side	5 feet (1)	10 feet
Rear	(2)	20 feet
Street-side (3)	10 feet	20 feet
Garage Entrance (4)	20 feet	20 feet

(1) Zero side yard dwelling units are subject to the setback provisions in Section 2.404. (5/98)
(2) The rear yard setback shall be as follows: 14 feet for a 1-story home; 20 feet for a 2-story home. (5/98)
(3) Setbacks are measured from property lines, not easement lines. However, no structure shall be placed any closer than five feet from the edge of an access easement or 20 feet from the right-of-way of an arterial or collector street. (5/98)

(4) The garage entrance setback shall be measured from the property line or edge of private access easement to the entrance of the garage. The centerline of the driveway shall be measured if the driveway to the garage entrance is not perpendicular to the property line or private access easement. In no case shall a garage be set back less than the minimum front, side, and rear setbacks. (5/98)

(5) The minimum front setback from an access easement shall be ten (10) feet. (10/15)

C. Proposals to develop properties in RCOD are subject to dimensional standards in Section 2.130.

2.102.06 Development Standards

All development in the RS Zone shall comply with the applicable provisions of this Ordinance. The following includes referenced items as well as additional development requirements:

A. **Off Street Parking**: Parking shall be as specified in Section 2.303. (5/98)

B. **Subdivisions and Partitions**: Land divisions shall comply with provisions of Section 2.310. (5/98)

C. **Yards and Lots**: Yards and lots shall conform to the standards of Section 2.312. (5/98)

D. **Design Standards** - Unless specifically modified by provisions in this Section, buildings located within the RS zone shall comply with the following standards: (5/98)

1. Single family homes shall comply with the design standards in Section 2.314. (5/98)

2. Residential structures with four or more attached dwelling units and non-residential structures shall comply with the provisions in Section 2.315 - Development Standards. (5/98)

E. **Signs**: Signs shall conform to the requirements of Section 2.308. (5/98)

F. **Accessory Structures**: Accessory structures shall conform to requirements in Section 2.313. (5/98)

G. **Landscaping**: A minimum of 30% of the property shall be landscaped, including all required yards. Landscaped areas shall be landscaped as provided in Section 2.309. (5/98)

H. **Lot Coverage**: The maximum coverage allowed for buildings, accessory structures and paved parking shall be 70%. (5/98)

I. **Density**: When RS zoned property is subdivided the minimum density shall be 4 units per acre; the maximum density shall be 8 units per. (6/16)

J. **Number of Buildings**. No more than one primary building shall be located on a lot or parcel. (5/98)

K. Proposals to develop properties in RCOD are subject to development standards in Section 2.130.

2.104 MEDIUM DENSITY RESIDENTIAL (RM)

2.104.01 Purpose

The RM (MEDIUM DENSITY RESIDENTIAL) zone is primarily intended for multiple family development on a parcel, or attached dwellings on separate lots, at medium residential densities. Other uses compatible with residential development are also appropriate. RM zones are located in areas designated Medium and High Density Residential in the Comprehensive Plan. They are suited to locations near commercial areas and along collector and arterial streets where limited access is necessary so that traffic is not required to travel on local streets through lower density residential areas. (5/98)

2.104.02 Permitted Uses

The following uses, when developed under the applicable development standards in the Ordinance, are permitted in the RM zone:

A. **Detached single family dwelling** on a lot. (5/98)

B. **Residential homes and facilities**. (5/98)

C. **Buildings with two or more dwelling** units. (5/98)

D. **Combination of permitted attached or detached dwellings** on a lot. (5/98)

E. **Family day care provider**, for 16 or fewer children consistent with state regulations. (4/16)

F. **Public or private utility substation**, but excluding communication towers and electrical substations. (5/98)

G. **Child foster home** for five or fewer children.(6/99)

2.104.03 Special Permitted Uses

The following uses, when developed under the applicable development standards in the Ordinance and special development requirements, are permitted in the RM zone:

A. **Partitions**, subject to the provisions in Section 2.310. (5/98)

B. **Subdivision**, subject to the provisions in Section 2.310. (5/98)

C. **Planned unit development**, subject to the provisions in Section 2.311. (5/98)

D. **Accessory structures** and uses prescribed in Section 2.203.02. (5/98)

E. Transit Facilities (Section 2.305). (Ordinance No. is 2009-586, 5/09)

F. The following special uses subject to the applicable standards in Section 2.4:

1. **Shared housing facilities (**Section 2.403). (5/98)

2. **Zero side yard dwelling units** (Section 2.404). (5/98)

3. **Home occupations** (Section 2.407). (5/98)

4. **Bed and breakfast** establishments (Section 2.408). (5/98)

5. **Residential sales offices** (Section 2.409). (5/98)

6. **Public golf course** (7992) or membership recreation club having golf course (7997) (Section 2.410). (5/98)

7. **House of Worship** (Section 2.423). (5/98)

8. **Boat and RV storage** area (Section 2.411). (5/98)

9. **Manufactured home parks** (Section 2.405). (5/98)

10. **Manufactured homes** on individual lots (Section 2.402) (5/98)

11. **Accessory commercial uses** (Section 2.416). (5/98)

12. **Recreational vehicle storage space** (Section 2.413). (5/98)

13. **Electrical substation** (Section 2.426). (5/98)

14. **Wireless Telecommunications Facilities (Section 2.427)** (5/98)

15. **Cottage Cluster Development** without the creation of any new lot (Section 2.432) (6/14)

2.104.04 Conditional Uses

The following uses may be permitted subject to obtaining a conditional use permit:

A. **Schools** (8211) (Section 2.424). (5/98)

B. **Public parks, playgrounds, community clubs** including swimming, tennis and similar recreational facilities, and other public and semi-public uses. (5/98)

C. **Day care facility** for 17 or more children consistent with state regulations. (4/16)

D. **Civic, social and fraternal organizations** (864). (5/98)

E. **Rooming and boarding houses** (702). (5/98)

F. **Water supply** (494). (5/98)

G. **Child foster home** for six, seven or eight children, provided such home:

1. Is properly accredited by the Council on Accreditation on Child and Family Programs;

2. Be located on a lot of no less than 16,000 square feet;

3. The lot shall be located on an arterial or major collector street;

4. Shall be no less than 2,400 square feet in size, excluding attached garages, carports, patios, and all unfinished space;

5. Shall have setbacks for all structures of no less than 16 feet on each side and 30 feet along the back of the property;

6. Shall have usable paved off-street parking for no less than 6 vehicles, plus one additional usable off-street paved parking space is to be provided for each foster child that owns or is the principal driver of any vehicle;

7. At least on half of the lot area (no less than 8,000 square feet) shall consist of open space, grass and landscaping, including landscaping area at least 8 feet wide for permanent visual screening along the sides and back of the property. (which landscaping along sides and back of the property shall be designed for a minimum height of no less than 6 feet after five years) Decks, patios, paved areas, and parking areas, (paved or unpaved) shall not be included when calculating the amount of required open space, grass and landscaping.

8. Is not located within one-half (1/2) mile of another child foster home of six to eight children, as measured between the closest lot lines of the existing child foster home and the proposed child foster home.

All child foster homes shall meet all applicable laws and regulations, including, but not limited to, applicable building codes.(6/99)

H. Transit Station (Section 2.429). (5/09)

I. Residential Care Facilities for more than 15 residents or uses noted in SIC 805 (Nursing and Personal Care Facilities) (Section 2.431) (6/11)

J. Cottage Cluster Development with the creation of new lots (Section 2.432). (6/14)

2.104.05 Dimensional Standards

A. Minimum Lot Dimension and Height Requirements

DIMENSION	Single Family	Duplex	Multi-Family	Non-Residential
Lot Size	4,000 sq. ft. (1)(2)	6,000 sq. ft.	9,000 sq. ft. (3)	(4)
Average Width	40 feet	50 feet	50 feet	None
Average Depth	70 feet	80 feet	80 feet	None
Maximum Height	35 feet	35 feet	35 feet	(5)

(1) Newly created lots or parcels less than 5000 square feet in area shall be limited to zero lot line dwellings (2.404). (5/98)

(2) A single family dwelling attached on one side has a minimum lot area of 3500 square feet, and a single family dwelling attached on both sides has a minimum lot area of 3000 square feet. (5/98)

(3) Multi-family development must comply with the density standard in Section 2.104.06.I. (5/98)

(4) Parcel size shall be adequate to contain all structures within the required yard setbacks. (5/98)

(5) 50 Feet - Required setbacks shall increase 1 foot for every foot the height exceeds 35 feet. (5/98)

B. Minimum Yard Setback Requirements

SETBACKS	Single Family	Duplex	Multi-Family	Non- Residential
Front	10 feet (5)	10 feet (5)	10 feet	20 feet
Side	(1)	5 feet	10 feet	10 feet
Rear	(2)	(2)	(2)	20 feet
Street-side (3)	10 feet	10 feet	10 feet	20 feet
Garage entrance (4)	20 feet (4)	20 feet (4)	20 feet (4)	20 feet (4)

(1) *Zero side yard dwelling units are subject to the setback provisions in Section 2.404*. (5/98)

(2) *The rear yard setback shall be as follows: 14 feet for a 1-story single family home, duplex, or multi-family building; 20 feet for a 2-story single family home, duplex, or multi-family building. Setbacks are to be measured from the architectural rear of the building regardless of the building's orientation to exterior property lines.* (06/07)

(3) *Setbacks are measured from property lines, not easement lines. However, no structure shall be placed any closer than five feet from the edge of an access easement or 20 feet from the right-of-way of an arterial or collector street*. (5/98)

(4) *The garage entrance setback shall be measured from the property line or edge of private access easement to the entrance of the garage. The centerline of the driveway shall be measured if the driveway to the garage entrance is not perpendicular to the property line or private access easement. In no case shall a garage be set back less than the minimum front, side, and rear setbacks*. (5/98)

(5) *The minimum front setback from an access easement shall be ten (10) feet.* (10/15)

C. Proposals to develop properties in RCOD are subject to dimensional standards in Section 2.130.

2.104.06 Development Standards

All development in the RM Zone shall comply with the applicable provisions of this Ordinance. The following includes referenced items as well as additional development requirements:

A. **Off Street Parking**: Parking shall be as specified in Section 2.303. (5/98)

B. **Design Standards** - Unless specifically modified by provisions in this Section, buildings located within the RM zone shall comply with the following standards: (5/98)

1. Single family homes shall comply with the design standards in Section 2.314. (5/98)

2. Residential structures with four or more attached dwelling units, including Cottage Cluster Development, and non-residential structures shall comply with the provisions in Section 2.315 - Development Standards. (6/14)

C. **Subdivisions and Partitions**: Land divisions shall be reviewed in accordance with the provisions of Section 2.310. (5/98)

D. **Yards and Lots**: Yards and lots shall conform to the standards of Section 2.312. (5/98)

E. **Signs**: Signs shall conform to the requirements of Section 2.308. (5/98)

F. **Accessory Structures**: Accessory structures shall conform to requirements in Section 2.313. (5/98)

G. **Landscaping**: A minimum of 25% of the property shall be landscaped, including all required yards. Landscaped areas shall be landscaped as provided in Section 2.309. (5/98)

H. **Lot Coverage**: The maximum coverage allowed for buildings, accessory structures and paved parking shall be 75%. (5/98)

I. **Density**: Subdivisions and multi-family development within the RM zone shall comply with the following density requirements:

1. For property designated Medium Density in the Comprehensive Plan, the minimum density shall be 6 units per acre; the maximum density shall be 10 units per acre. (5/98)

2. For property designated Medium-High Density in the Comprehensive Plan, the minimum density shall be 8 units per acre; the maximum density shall be 22 units per acre. (5/98)

J. Proposals to develop properties in RCOD are subject to development standards in Section 2.130.

2.107 MIXED USE (MU)

2.107.01 Purpose

The Mixed Use (MU) zone promotes development that combines differing uses (permitted or special permitted) in a single building or complex. This zone will allow increased development on busier streets without fostering a strip commercial appearance. The zone encourages the formation of neighborhood "nodes" of activity where residential and commercial uses mix in a harmonious manner. This development type will support transit use, provide a buffer between busy streets and residential neighborhoods, and provide new housing opportunities in the City. (4/08)

The Mixed Use zone is intended to include a variety of uses identified in this section in relative close proximity to each other as compared to a traditional zone district in which differing uses are segregated. Vertical mixed use is a building in which significant amounts of differing uses are located in the same building with different uses on different floors. While mixed use development is primarily intended to consist of retail or other businesses on the ground floor with housing or office uses on upper stories it is not required that every building within a mixed use area is developed with different uses within it. Clusters of residential and commercial uses around landscaping features or parking areas will also occur. Development is intended to be pedestrian-oriented with buildings close to and oriented to the sidewalk. Parking may be shared between residential and commercial uses. (4/08)

The Mixed Use zone is suitable for the Medium Density Residential, Medium-High Density Residential and Mixed Use Comprehensive Plan designations. (5/98)

2.107.02 Permitted Uses

The following uses, when developed under the applicable development standards in the Zoning Ordinance, are permitted in the MU zone:

A. **One or more buildings with one or more dwelling units** or guest rooms on a lot. (5/98)

B. **One or more buildings with one or more dwelling units** or guest rooms and one or more other uses allowed in this section on a lot. (5/98)

C. **Residential homes** and facilities. (5/98)

D. **Day care facility** for 17 or more children consistent with state regulations, including Family day care provider for 16 or fewer children consistent with state regulations. (4/16)

E. **Public parks, playgrounds, community clubs** including swimming, tennis and similar recreational facilities, and other public and semi-public uses. (5/98)

F. **Public or private utility substation**, but excluding electrical substation. (5/98)

G. **Landscape counseling and planning** (078). (5/98)

H. **Transportation, Utilities and Communication**. (5/98)

1. **Travel agency** (4722). (5/98)

2. **Communication** (48) BUT EXCLUDING communication services, not elsewhere classified (489). (5/98)

3. **Public utility** structures and buildings. (5/98)

4. Transit Facilities (Section 2.305). (5/09)

I. **Retail Trade**:

Except as allowed under Section 2.107.05.B, the following retail uses shall be limited to buildings of 10,000 square feet or less:

1. **General merchandise stores** (53). (4/08)

2. **Food stores** (54). (4/08)

3. **Apparel and accessory stores** (56). (4/08)

4. **Home furnishing, appliance and equipment stores** (57). (4/08)

5. **Eating and drinking places** (58). (4/08)

6. **Retail**, (59) BUT EXCLUDING non-store retailers (596) and fuel and ice dealers (598). (4/08)

7. Uses listed in 2.107.02.I. through 7 if developed in a vertical mixed use development shall not be considered as a specified use in 2.107.05.E. (10/15)

J. **Business, Professional and Social Services**: The following business and professional and service oriented uses are allowed:

1. **Finance, insurance and real estate** (60, 61, 62, 63, 64, 65, 67). (5/98)

2. **Hotels, motels and lodging** facilities (701). (5/98)

3. **Personal services** (72) BUT EXCLUDING: power laundries, family and commercial (7211), linen supply (7213), dry cleaning plants, except rug cleaning (7216), carpet and upholstery cleaning (7217); and industrial launders (7218). (5/98)

4. **Business services** (73) BUT EXCLUDING disinfecting and exterminating services (7342), building and cleaning services (7349), and equipment rental (735). (5/98)

5. **Watch, clock and jewelry repair** (763). (5/98)

6. **Recreational or athletic clubs**. (5/98)

7. **Health services** (80) BUT EXCLUDING hospitals (806). (5/98)

8. **Legal services** (81). (5/98)

9. **Miscellaneous services** (89). (5/98)

10. **Community or neighborhood clubs.** (5/98)

11. **Parking lots.** (5/98)

12. **Pet Grooming** (6/01)

13. **Veterinary Services** (Section 2.414) (6/15)

K. **Public administration** (91 - 97). (5/98)

2.107.03 Special Permitted Uses

The following uses, when developed under the applicable development standards in the Ordinance and special development requirements, are permitted in the MU zone:

A. **Partitions**, subject to the provisions in Section 2.310. (5/98)

B. **Subdivision**, subject to the provisions in Section 2.310. (5/98)

C. **Planned unit development**, subject to the provisions in Section 2.311. (5/98)

D. **Accessory structures** and uses prescribed in Section 2.203.02. (5/98)

E. The following special uses subject to the applicable standards in Section 2.4:

1. **Shared housing facilities (**Section 2.403). (5/98)

2. **Zero side yard dwelling** units (Section 2.404). (5/98)

3. **Home occupations** (Section 2.407). (5/98)

4. **Bed and breakfast** establishments (Section 2.408). (5/98)

5. **Residential sales offices** (Section 2.409). (5/98)

6. **Public golf course** (SIC 7992) or membership recreation club having golf course (SIC 7997) (Section 2.410). (5/98)

7. **Boat and RV storage** area (Section 2.411). (5/98)

8. **House of Worship** (Section 2.423). (5/98)

9. **Recreational vehicle storage** space (Section 2.413). (5/98)

10. **Electrical substations** (Section 2.426). (5/98)

11. **Wireless Telecommunications Facilities** (Section 2.427). (5/98)

12. **Cottage Cluster Development** without the creation of any new lots (Section 2.432). (6/14)

13. **Mobile Food Vendor** (Section 2.434). (7/17)

2.107.04 Conditional Uses

The following uses may be permitted subject to obtaining a conditional use permit:

A. **Craft Industries**, subject to the provisions in Section 2.421. (5/98)

B. Transit Station (Section 2.429). (5/09)

C. Cottage Cluster Development with the creation of new lots (Section 2.432). (6/14)

2.107.05 Use Restrictions

A. The following uses are not permitted: (4/08)

1. Farm Use. (5/98)

2. The rendering, processing, or cleaning of animals, fish, seafoods, fowl, poultry, fruits, vegetables, or dairy products for wholesale use. (5/98)

3. Any outdoor display or storage of merchandise or materials unless consistent with Section 2.107.05.B.7. (4/08)

4. Camping or over-night in parking lots. (4/08)

B. Retail uses as set forth in Section 2.107.02(I) are limited to buildings not exceeding 10,000square feet of gross leasable area except as provided herein. Such retail uses over 10,000 square feet may be permitted as allowed in an approved master plan subject to meeting the following requirements: (4/08)

1. In addition to the requirements in Section 2.309 (Site and Landscaping Design), provide increased screening and buffering when any portion of the building is located adjacent (as defined in Section 1.200) to existing or planned residential areas so as to adequately screen the building. (4/08)

2. In addition to the requirements in Section 2.107.06(B), provide increased building setbacks when any portion of the building is located adjacent (as defined in Section 1.200) to existing or planned residential areas. (4/08)

3. In addition to the requirements in Section 2.315.06, provide increased architectural features such as the use of three differing materials, color, textures, on building facades that are visible from a public street so as to minimize the effect of large blank walls. The elevations of all buildings shall be varied in textures, and material and shall incorporate human scale design elements. Elevations of all buildings shall incorporate no more than fifteen feet between varied vertical elements such as materials, patterns and textures, architectural features such as columns, projections, and differing planes shall be used liberally with no greater than 22 feet between such features. Materials shall be varied at the same frequency as the architectural elements. These materials shall incorporate cultured stone, split face Concrete mortar units (CMU's), as well as smooth faced CMU walls. (10/15)

4. Include architectural features that reflect those of the remainder of the building around any outdoor garden / nursery area to include such things as hard walls, windows and awnings. (4/08)

5. Limit any outdoor display or storage of merchandise to the area adjacent to the building. (4/08)

6. Direct lighting to avoid causing glare onto adjacent properties and be generally low in height, light sources shall not be visible beyond development boundaries. (4/08)

7. Provide mitigation measures that address adverse traffic and livability impacts in the surrounding neighborhood. This will include such things as enclosing all service equipment and service areas and any other issues identified in a master plan or traffic impact analysis. (4/08)

8. Drive-thru businesses shall have the drive-thru oriented away from both existing and planned residential areas. (4/08)

C. A retail building of the type described in Section 2.107.02(I) is allowed to exceed the 10,000 square foot limit subject to Master Plan approval and compliance with all requirements of this Chapter. (4/08)

D. Larger Format Stores.

1. Retail buildings of the type described in Section 2.107.02(I) that exceed 10,000 square feet ("Larger Format Stores") require the development of non-retail/non-single family home uses in the Master Plan area that have a total square footage of at least 25% of the gross leasable area of the Larger Format Store. As used herein, "non-retail" shall mean uses other than those listed in Section 2.107.02(I). (4/08)

2. Larger Format Stores in excess of 80,000 square feet of the type described in Section 2.107.02(I) shall meet the requirement set forth in Subsection D(1) above. In addition to such requirement, for each square foot of vertical mixed use development in the Master Plan area, the Larger Format Store can be increased above 80,000 square feet by an equivalent amount. The mixed use square footage requirements of Subsection D(1) and this Subsection cannot be combined. (4/08)

3. The development required in Subsections D(1) and D(2) above shall take place in the same Master Plan area. The approved Master Plan shall be conditioned to require such development to be constructed before or concurrently with the Larger Format Store. (4/08)

E. A limitation of the total floor area for specified uses applies to all of Area C – Keizer Station Center of the Keizer Station Plan. A maximum total floor area shall apply to the uses identified in Section 2.107.02(I). This maximum floor area is set forth in the Keizer Station Plan, however this maximum floor area may change as part of an approved Master Plan. (10/18)

F. Proposals to develop properties within Area C of the Keizer Station shall comply with Master Plan or Master Plan Amendment requirements outlined in Section 3.113, and also with requirements specified in 2.107.05.G.1 through 6 below. (10/18)

G. Proposals to develop properties outside of Area C of the Keizer Station shall require approval of a Master Plan and compliance with the following: (4/08)

1. Pedestrian Access, Safety and Comfort (4/08)

a. To ensure safe, direct, and convenient pedestrian circulation, development shall provide a continuous pedestrian and/or multi-use path system. (4/08)

b. The pathway system shall extend throughout the development site, and connect to all future phases of development, adjacent trails, public parks and open space areas wherever possible. (4/08)

c. Pathways with developments shall provide safe, reasonably direct and convenient connections between primary building entrances and all adjacent streets and parking areas. (4/08)

d. For all developments subject to Master Plan review, pathways shall connect all building entrances to one another. In addition, pathways shall connect all parking areas, storage areas, recreational facilities and common areas (as applicable), and adjacent developments to the site, as applicable. (4/08)

e. Recessed entries, canopies, and/or similar features shall be used at the entries to a building in order to create a pedestrian scale. (4/08)

f. The proposal contains an equally good or superior way to achieve the intent of the above criterion and guidelines. (4/08)

2. Vehicular Movement (4/08)

a. Encourage traffic to enter and exit the development at locations in a safe manner. (4/08)

3. Crime Prevention and Security (4/08)

Crime prevention shall be considered in the site design through application of all of the following guidelines: (4/08)

a. Territoriality – All proposed building entrances, parking areas, pathways and other elements are defined with appropriate features that express ownership. For example, landscaping, fences, pavement treatments, art and signs are some physical ways to express ownership through design. Such features should not conflict with the need for natural surveillance, as described in b.; and (4/08)

b. Natural Surveillance – The proposed site layout, building and landscape design promote natural surveillance. Physical features and activities should be oriented and designed in ways that maximize the ability to see throughout the site. For example, window placement, the use of front porches or stoops, use of low or see-through walls, and appropriate use of landscaping and lighting can promote natural surveillance. Sight-obscuring shrubs and walls should be avoided, except as necessary for buffering between commercial uses and lower density residential districts, and then shall be minimized; and (4/08)

c. Activity Support – The proposed site layout and building design encourage legitimate activity in public spaces. For example, locating outdoor seating in areas that are visible from inside a restaurant helps to discourage crime and supports the activity of dining; and (4/08)

d. Access Control – By properly siting and designing entrances and exits (i.e., in clear view from the store), and through the appropriate use of lighting, signs and/or other features, the proposed plan controls access in ways that discourage crime; and/or (4/08)

e. The proposal contains an equally good or superior way to achieve the intent of the above criterion and guidelines. (4/08)

4. Reduced Parking (4/08)

Reduce or waive minimum off-street parking standards. The applicant may request a reduction to or waiver of parking standards based on a parking impact study. The study allows the applicant to propose a reduced parking standard based on estimated peak use, reductions due to easy pedestrian accessibility; availability of transit service, and likelihood of car pool use; and adjacent on-street parking. The parking study is subject to review and approval or modification by the City. (4/08)

5. Creating and Protecting Public Spaces (4/08)

a. The development provides an appropriate amount of public space as determined by the City Council in addition to sidewalks and landscaping. (4/08)

b. Public space may be a landscaped open space or plaza with pedestrian amenities, as approved by the City Council. (4/08)

6. Human Scaled Building Design (4/08)

Building facades are designed to a human-scale, for aesthetic appeal, pedestrian comfort, and design character of a development. The City Council may determine architectural character, continuity of building sizes, roof forms, rhythm of window and door spaces and the general relationship of buildings to public spaces such as street, plazas, other open space and public parking. (4/08)

The proposal contains an equally good or superior way to achieve the intent of the above criterion and guidelines. (4/08)

In addition, the provisions within Section 3.113 apply. (10/18)

H. Proposals to develop properties in RCOD are subject to use regulations in Section 2.130.

2.107.06 Dimensional Standards

A. Minimum Lot Dimension and Height Requirements

DIMENSION	Single Family	Duplex or Multi-Family	Commercial	Mixed Use
Lot Size	4,000 sq. ft. (1)	6,000 sq. ft. (2)	None (3)	None (3)
Average Width	40 feet	50 feet	None	None
Average Depth	70 feet	80 feet	None	None
Maximum Height	35 feet	50 feet	50 feet	50 feet(4)

(1) A single family dwelling attached on one side has a minimum lot area of 3500 square feet, and a single family dwelling attached on both sides has a minimum lot area of 3000 square feet. (5/98)

(2) Multi-family development must comply with the density standard in Section 2.107.07.I (06/07)

(3) Parcel size shall be adequate to contain all structures within the required yard setbacks. (06/07)

(4) Height of vertical mixed use development may exceed this limitation without a concurrent variance and maximum height will be determined during master plan process. (4/08)

B. Minimum Yard Setback Requirements

SETBACKS (5)	Single Family or Duplex	Multi-Family	Commercial	Mixed Use
Front	10 feet (7)	10 feet (1)	10 feet (1)	10 feet (1)
Side	5 feet (2)	10 feet	(4)	(4)
Rear	(3)	(3)	(4)	(4)
Street-side	10 feet	10 feet	10 feet	10 feet
Garage entrance (6)	20 feet	20 feet	20 feet	20 feet

(1) For all MU zoned property fronting Cherry Avenue south of Manbrin Drive the minimum setback shall be 5 feet and the maximum shall be 10 feet for yards adjacent to Cherry Avenue. The maximum setback shall apply to the primary wall of the building. Indentations in the primary wall, such as alcoves, courtyards, etc. have no maximum setback. (5/98)

(2) Zero side yard dwelling units are subject to the setback provisions in Section 2.404. (5/98)

(3) The rear yard setback shall be as follows: 14 feet for a 1-story single family home, duplex, or multi-family building; 20 feet for a 2-story single family home, duplex, or multi-family building. Setbacks are to be measured from the architectural rear of the building regardless of the building's orientation to the property lines. (06/07)

(4) The rear and side yard setbacks adjacent to a residential zone shall be no less than the minimum rear yard setback of the zone on the adjacent property. In no case shall the setback be less than 10 feet, except there is no required setback adjacent to a non-residential zone. (5/98)

(5) Setbacks are measured from property lines, not easement lines. However, no structure shall be placed any closer than five feet from the edge of an access easement or 20 feet from the right-of-way of an arterial or collector street. (5/98)

(6) The garage entrance setback shall be measured from the property line or edge of private access easement to the entrance of the garage. The centerline of the driveway shall be measured if the driveway to the garage entrance is not perpendicular to the property line or private access easement. In no case shall a garage be set back less than the minimum front, side, and rear setbacks. (5/98)

(7) The minimum front setback from an access easement shall be ten (10) feet. (10/15)

C. Proposals to develop properties in RCOD are subject to dimensional standards in Section 2.130.

2.107.07 Development Standards

All development in the MU Zone shall comply with the applicable provisions of this Ordinance. The following includes referenced items as well as additional development requirements:

A. **Off Street Parking**: Parking shall be as specified in Section 2.303. (5/98)

B. **Design Standards** - Unless specifically modified by provisions in this Section, buildings located within the MU zone shall comply with the following standards: (5/98)

1. Single family homes shall comply with the design standards in Section 2.314. (5/98)

2. Residential structures with four or more attached dwelling units' including Cottage Cluster Developments), and non-residential structures shall comply with the provisions in Section 2.315 - Development Standards. (6/14)

3. For MU zoned property fronting Cherry Avenue south of Manbrin Drive; residential use shall occupy no less than 35% and no more than 65% of the building floor area on any property. (5/98)

C. **Subdivisions and Partitions**: Land divisions shall be reviewed in accordance with the provisions of Section 2.310. (5/98)

D. **Yards and Lots**: Yards and lots shall conform to the standards of Section 2.312. (5/98)

E. **Signs**: Signs shall conform to the requirements of Section 2.308. (5/98)

F. **Accessory Structures**: Accessory structures shall conform to requirements in Section 2.313. (5/98)

G. **Landscaping**: All required yards shall be landscaped. Landscaped areas shall be landscaped as provided in Section 2.309. The minimum landscaped area requirements shall be as follows: (5/98)

Commercial development:	15%
Mixed commercial and residential development:	20%
Residential development:	25%

H. **Lot Coverage**: The maximum coverage allowed for buildings, accessory structures and paved parking shall be as follows: (5/98)

Commercial development:	85%
Mixed commercial and residential development:	80%
Residential development:	75%

I. **Density**:

1. For property zoned MU as identified in the Keizer Station Plan, the minimum density for subdivisions, partitions, multi-family or any residential development shall be a minimum 8 units per acre and a maximum 24 units per acre, except there shall be no minimum residential density requirement for multi-family development within a mixed use building. (12/03)

   The minimum density for multi-family development shall be 8 units per acre; the maximum density shall be 24 units per acre, except there shall be no minimum residential density requirement for multi-family development within a mixed use building. (05/98)

J. Proposals to develop properties in RCOD are subject to development standards in Section 2.130.

2.315 DEVELOPMENT STANDARDS

2.315.01 Purpose

The Development Standards herein called Standards are intended to implement the Keizer Comprehensive Plan and the purpose of each zoning district. "Standards" only include the development standards referred to in this Section. They do this by promoting functional, safe, and attractive developments that maximize compatibility with surrounding uses and commercial corridors, and that are compatible with and enhance the transportation system. The Standards mitigate potential conflicts and problems, and maximize harmonious relationships. Alternatives to the Standards on a case-by-case basis may be reviewed and approved as a land use action. In such cases, the purpose of this Development Code shall be met through factual findings and conclusions about the proposed design, and attachment of specific conditions if necessary, by the review body. Application of the Standards does not evaluate the proposed use, nor the specific architectural style or design. Rather, the Standards focus on the structural elements of texture, color, and materials, and on the site elements of building placement. (12/18)

2.315.02 Applicability

A. Exterior changes to all buildings in matters relating to color or facade materials only shall comply with the applicable or relevant Standards found in Section 2.315.06 of this code. (12/18)

B. Serial additions, alterations or expansions as defined in Section 1.2 of this code shall be limited so that the Standards specified in Section 2.315.03.A and B are not exceeded in a 3-year period. (12/18)

C. The provisions of this section shall apply to all development as defined in Section 1.2 of this code. (1/04)

D. Development in the overlay zone RCOD are subject to development standards in Section 2.130.

2.315.03 Exemptions

The following are exempt from the Standards: (1/04)

A. Structural additions, alterations, or expansions which are 25 percent or less of existing building(s) gross floor area and/or impervious surface area are affected; **OR,** when 500 square feet or less of an existing building(s) gross floor area and/or impervious surface area, whichever is less, is affected. (1/04)

B. Exterior changes involving the addition, alteration or moving of a door, window, porch, canopy, or awning where the combined area of change is less than 500 square feet in area in a 3-year period, (1/04)

C. Repainting of exterior walls due to minor repairs or vandalism, which is 25% or less, or no more than 100 sq. ft. (1/04)

D. Agricultural uses (1/04)

E. Any residential building housing three or fewer dwelling units. (1/04)

F. Any interior remodeling (1/04)

G. A temporary business (1/04)

H. A mobile Food Vendor (12/18)

2.315.04 Administration of the Development Standards

These Standards are intended to be objective and to serve as a guide to designers of developments. The Standards are applied in one of four ways: (1/04)

A. The Standards embodied in this Development Code are administratively reviewed at the time of a building permit application. Compliance to the Standards is a condition of building permit approval. (12/18)

B. In instances where conformance to the Standards is outside of the scope of a building permit, such as repainting a building, the owner shall be responsible for conformance with these Standards. (12/18)

C. The Standards embodied in this Development Code are to be perpetually maintained on all properties. This particularly applies to color and facade materials, which may change without requiring a building permit. (12/18)

D. In the event a development proposal or a change to an existing building does not conform to the Standards due to an applicant wishing to propose alternatives, the applicant may choose to apply for approval of a Development Standards Alternative application. A Development Standards Alternative application shall be processed as a Type II-B land use decision consistent with Section 3.202. The initial decision shall be rendered by the Planning Commission, appealable to City Council. For properties located within the

Keizer Station, the initial decision shall be rendered by the City Council. No building permit will be issued for a use requiring Development Standards Alternative approval until the application is approved. (12/18)

2.315.05 Non-Conforming Buildings

Any building that did not conform to the Standards on May 18, 1998 is considered a legally non-conforming building as regulated within this Code. (1/04)

2.315.06 Development Standards

All applicable development must meet the following Standards: (12/18)

A. Pedestrian Circulation. As used herein "walkway" means a hard surfaced area intended and suitable for use by pedestrians, including both public and private sidewalks. (1/04)

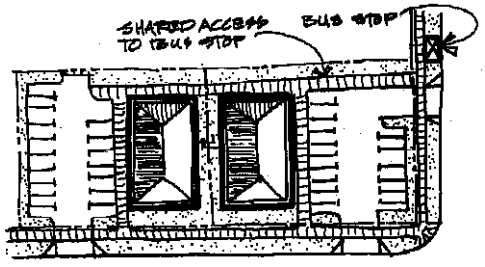
1. Connection Required. The pedestrian circulation system for the proposed development must connect uses, building entrances, adjacent streets and transit facilities (existing or planned). (12/18)

2. Walkway Location and Design. Walkway(s) shall be located so that a pedestrian can conveniently walk between a transit street and the entrance(s) to a building(s). Except where it crosses a driveway, a walkway shall be separated by a raised curb or other physical barrier from the auto travel lane and parking. If a raised path is used the ends of the raised portions must be equipped with curb ramps which comply with Oregon State Building Code requirements. (12/18)

3. Additional Street Access. One walkway from a building to a public street shall be provided for every 300 feet of street frontage. (12/18)

4. Driveway Crossings. Driveway crossings shall be a maximum of 36 feet in width. Where the pedestrian system crosses driveways, parking areas and loading areas, the system must be clearly identifiable through the use of elevation changes, a different paving material, texture, or other similar method. (1/04)

5. Lighting. Lighting shall be provided for all walkways. Pedestrian walkways must be lighted to a level where the system can be safely used at night by employees and customers. (12/18)



Pedestrian Access Standards

6. Walkway Coverage.

a. Any portion of a walkway located within three feet of a building frontage shall be covered with awnings or building overhangs. The minimum vertical clearance shall be 9 feet for awnings and building overhangs. The maximum vertical clearance shall be 15 feet. (1/04)

b. In the EG zone, any portion of a walkway located within three feet of a building frontage shall be covered with awnings or building overhangs as provided in Subsection a, except for buildings, which have greater than 300 feet of lineal frontage, where this requirement shall apply to at least 33 percent of the building frontage. The maximum vertical clearance shall be 15 feet. (1/04)

7. Dimensions. Walkways shall be at least five feet in paved unobstructed width. Walkways that serve multiple uses or tenants shall have a paved minimum unobstructed width of eight feet. (12/18)

8. Stairs or ramps shall be in place where necessary to provide a direct route between the transit street and the building entrance. Walkways without stairs shall comply with the accessibility requirements of the Oregon State Building Code. (1/04)

9. Access to Adjacent Property. If the proposed development has the potential of being a significant attractor or generator of pedestrian traffic, potential pedestrian connections between the proposed development and existing or future development on adjacent properties other than connections via the street system shall be identified. (1/04)

10. The building permit application or Development Standards Alternative application shall designate walkways and pedestrian connections on the proposed site plan. If the applicant considers walkways are infeasible, evidence and proposed findings shall be submitted demonstrating that the walkway or connection is infeasible. The evidence will be evaluated in conjunction with the building permit or Development Standards Alternative process. (12/18)

B. Building Design

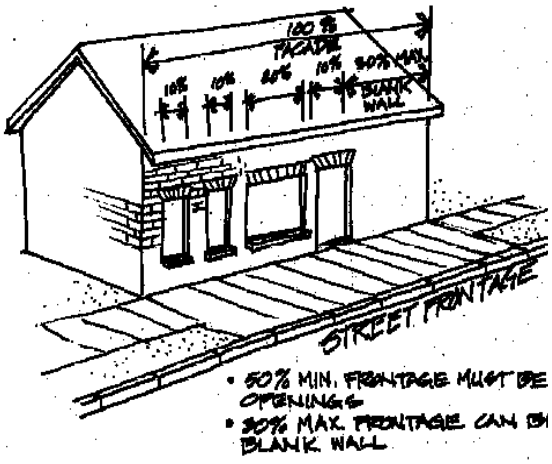
1. Ground floor windows

a. In the CM, CR, and MU zones, all street-facing elevations containing permitted uses as listed under Sections 2.110.02 F, G, H, I, J and K shall have no less than 50 percent of the ground floor wall area with windows, display areas or doorway openings. (5/98)

b. In the EG zone, one elevation of any building with more than 100,000 square feet of floor area, which contains permitted uses listed under Sections 2.119.05 F, G, H, I, J, and K, shall have no less than 33 percent of the ground floor wall area, defined from the ground to the height of the awning, with windows or window facsimiles or other architectural features that simulate windows, display areas or doorway openings. The location of this elevation shall be determined as part of the required Master Plan review described in Section 2.125. (12/18)

2. Building facades

a. In the CM, CR, and MU zones, facades that are visible from a public street shall extend no more than 30 feet horizontally without providing a variation in building materials, a building off-set of at least 2 feet, or a wall area entirely separated from other wall areas by a projection, such as a porch or a roof over a porch or a roof over a porch and no more than 15 feet between vertical design elements such as columns, pilasters, or patterns. (12/18)



Façade Standards

b. In the EG zone, facades facing a public street shall extend no more than 60 feet without providing a variation of building materials for buildings over 20,000 square feet. (12/18)

3. Awnings – Awnings are a roof-like cover extending immediately in front of a doorway or window to provide protection from the sun or rain. Awnings shall be provided along building storefronts abutting a public sidewalk. Awnings are not allowed in locations not listed above. Awnings shall be constructed of canvas, acrylic fabric, laminated vinyl, metal or similar standard material. Awnings shall not be back lit. (12/18)

4. Materials and Texture

a. Building Materials. (1/04)

1) All buildings shall have wood, brick, stone, architectural block, slump stone block, architectural concrete, stucco siding, or vinyl siding made to look like wood siding as the predominant building material. (12/18)

2) A minimum of 2 separate and distinct building materials must be used. (12/18)

3) Metal siding other than reflective material is allowed as part of a design to incorporate differing materials, but shall not be the predominant material used. Metal siding is not allowed for residential buildings housing 3 or more dwellings. (12/18)

4) Plain concrete masonry block, plain concrete, plywood and sheet press board may not be used as exterior finish materials. (12/18)

b. Trim Material. (1/04)

Building trim shall be wood, brick, stone, stucco, vinyl siding material made to look like wood, or metal. (1/04)

c. Roofing Material. (1/04)

Any roofing material is allowed including metal roofs. (5/98)

d. Foundation Material. (1/04)

Foundation material may be plain concrete or plain concrete block where the foundation material is not revealed for more than 3 feet. (5/98)

5. Color

a. Any portion of a building that is painted or stained may use as the main color, and roof color for all portions of the roof visible from the ground, any color which meets all of the following criteria: (1/04)

1) Exterior building colors shall be of low reflective, subtle, neutral or earth tone color. The use of high intensity colors such as black, neon, metallic or florescent colors

for the façade of the building are prohibited except as may be approved for building trim. (12/18)

2) Light Reflectance Value (LRV) of any color shall be between the values of 30 and 85. (12/18)

3) The finish shall be either matte or satin. (12/18)

b. For the purpose of this Section, "main color" is the principal color of the building which must be at least 75% of the surface of the building excluding windows; the trim colors of all buildings may be any color except as set forth below. (12/18)

c. In no case shall the main color or the trim color of any structure be "florescent", "day-glo", or any similar bright color. (1/04)

6. Roof Lines - Roof lines shall establish a distinctive “top” to a building. When flat roofs are proposed, a cornice a minimum 12 inches high projecting a minimum 6 inches from the wall at the top of the wall or parapet shall be provided. (5/98)

7. Roof-mounted equipment – In a CM, CR, CO, EG or MU zone, all roof-mounted equipment, including satellite dishes and other communication equipment, must be screened from view from adjacent public streets. Solar heating panels are exempt from this Standard. (12/28)

C. Commercial Accessory Structures

1. Commercial Accessory Structures including buildings, sheds, trash receptacles, mechanical devices, and other structures outside the main building, shall either be screened from view by the public by either a hedge or fence, **OR,** with the exception of trash receptacles, be screened by painting them the same color as the main color of the building. (12/18)

2. Trash enclosures shall be designed to be large enough to accommodate the projected amount of trash being generated at the development. The area must be able to fully contain all necessary trash and recycling containers. (09/10)

D. Transit Facility Requirement

New retail, office and institutional buildings at, or within 600 feet of an existing or planned transit facility, as identified in the city TSP, shall provide either the transit facility on site or connection to a transit facility along a transit route when the transit operator requires such an improvement. (7/09)

E. Transit Access

New retail, office and institutional buildings within 600 feet of an existing or planned transit facility, as identified in the city TSP, shall provide for convenient pedestrian access to transit through the measures listed in Subsections 1 and 2 below. (12/18)

1. Walkways shall be provided connecting building entrances and streets adjoining the site; (7/09)

2. Pedestrian connections to adjoining properties shall be provided except where such a connection is impracticable. Pedestrian connections shall connect the onsite circulation system to existing or proposed streets, walkways, and driveways that abut the property. Where adjacent properties are undeveloped or have potential for redevelopment, streets, access ways and walkways on site shall be laid out or stubbed to allow for extension to the adjoining property; (7/09)

3. In addition to Subsections 1 and 2 above, sites at transit facilities must provide the following: (7/09)

   a. Either locate buildings within 20 feet of the transit facility, a transit street, or an intersecting street or provide a pedestrian plaza at the transit facility or a street intersection; (7/09)

   b. A reasonably direct pedestrian connection between the transit facility and building entrances on the site; (7/09)

   c. A transit passenger landing pad accessible to disabled persons; (7/09)

   d. An easement or dedication for a passenger shelter if requested by the transit provider; and (7/09)

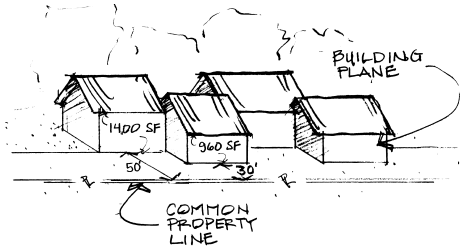
   e. Lighting at the transit facility. (7/09)

F. Multifamily Design. Multifamily structures shall create a form and scale to provide interest and aesthetic appeal. (12/18)

1. In addition to the requirements outlined in 2.315.06 all new multifamily buildings shall include a minimum of 3 significant different materials and textures in the design of the exterior building facade. (12/18)

2. Building planes for multifamily dwellings facing property lines or the street shall be subject to the following Standards: (12/18)

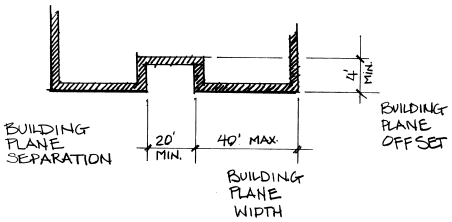
a. No building plane shall exceed 960 square feet within 30 feet of the property line. No building plane that faces the common property line shall exceed 1,400 square feet within 50 feet of the property line. (12/18)



b. No building plane shall have a greater dimension than 40 feet in length or 35 feet in height. (10/15)

c. If more than one building plane faces a street or property line and the building planes align at a common distance from the line, the building planes shall be horizontally separated by at least 20 feet. For the purposes of this Standard, “common distance” shall be defined within 12 feet. (12/18)

d. When a structure along a wall juts out from the wall, or is offset from an adjacent part less than 4 feet, the structure is considered part of the building plane of a wall behind it. If the structure protrudes greater than 4 feet, it represents a separate building plane. If a building plane is at an angle in relation to the property line, the midpoint of the wall shall provide the point at which the plane and related distance are measured. (12/18)



2.315.07 Determination of Conformance to Development Standards as Part of Building Permit Review

The Zoning Administrator, or designee, during the normal course of reviewing a building permit application, shall conduct a concurrent Development Review. As part of that review, a determination of the proposal's conformance with the provisions of this Section shall be determined. Corrections may be noted on the plans, or required to be submitted as amended plans, to assure conformance to the Standards or as a Design Alternative, which was approved by the planning Commission or City Council. Building plans shall not be approved unless there is conformance with the provisions of this Section. (12/18)

2.315.08 Criteria for Development Standard Alternative Approval

The Planning Commission or City Council (for properties within Keizer Station) may approve the proposed design alternatives, or approve them with

conditions through a Development Standards Alternative application, if it finds the alternative design can meet the purpose and intent of this Section and be successfully applied to a particular property. (12/18)

3.101 SUMMARY OF APPLICATION TYPES

There are four types of development permits and land use actions, each with its own procedures as found in Chapter 3.2. (5/98)

3.101.01 Type I Action - Summary

Type I actions are administrative reviews processed by the City staff according to the procedures found in Section 3.202.01, 02 & 03. The review standards are generally clear and objective and allow little or no discretion. This process is further divided into four parts: (3/10)

A. Type I-A: A ministerial action reviewed by staff based on clear and objective standards. Conditions may be placed on the decision and notice of the decision is sent only to the applicant. Appeal is to the Hearings Officer. The following actions are processed under the Type I-A procedure: (2/01)

1. Signs (excluding variances or conditional uses) (5/98)

2. Temporary Use Permit (3/10)

B. Type I-B: A ministerial action reviewed by staff based on generally clear and objective standards with some discretion afforded to staff. Conditions may be placed on the decision and notice is sent to the applicant and property owners within the required notice area. Appeal is to the Hearings Officer. The Zoning Administrator may refer any application to the Hearings Officer or the City Council for public hearing and decision. The following actions are processed under the Type I-B procedure: (5/98)

1. Variance (Minor and Sign) (11/05)

2. Property Line Adjustment (6/16)

3. Conditional Use (except Transit Station) (5/09)

4. Partitions (5/98)

5. Greenway Development Permit (2/01)

6. Floodplain Development Permit (including Floodplain Development Permit Variance) (3/10)

C. Type I-C: A ministerial action reviewed by staff based on generally clear and objective standards with some discretion afforded to staff. Conditions may be placed on the decision and notice is sent to the applicant. Appeal is to the Planning Commission. Notice is sent to property owners within the required notice area for public hearing. The Zoning Administrator may refer any application to the Planning Commission or the City Council for public hearing

and decision. The following action is processed under the Type I-C procedure:

1. Development Review (2/01)

2. Alternative Design Review for Detached Accessory Dwelling Unit (Front Yard) (1/19)

D. Type I-D: A ministerial action reviewed by staff based on generally clear and objective standards with some discretion afforded to staff. Conditions may be placed on the decision and notice is sent to the applicant and property owners within the required notice area. Appeal is to the Planning Commission. The Zoning Administrator may refer any application to the Planning Commission or City Council for public hearing and decision. The following actions are processed under the Type I-D procedure: (7/03)

1. Variance (Major) (7/03)

3.101.02 Type II Actions - Summary

A. A Type II action is a quasi-judicial review in which the Hearings Officer applies a mix of objective and subjective standards that allow considerable discretion. A Type II action follows the procedures found in Section 3.202.04. Staff has an advisory role. The Zoning Administrator may refer any application to the City Council for public hearing and decision bypassing the Hearings Officer. Public notice and a public hearing are provided. Section 3.204 lists the notice requirements. Appeal of a Type II decision is to the City Council. The following actions are processed under a Type II procedure: (2/01)

1. Subdivision (5/98)

2. Planned Unit Development (5/98)

3. Manufactured Home Parks (5/98)

B. Type II-B: A quasi-judicial action in which the City Council applies a mix of objective and subjective standards that allow considerable discretion. Type II-B actions follow the procedures found in Section 3.202.04. Staff has an advisory role. The City Council shall hold a public hearing and make the decision. Public notice and a public hearing are provided. Section 3.204 lists the notice requirements. Section 3.206 sets forth the hearings process. The following actions are processed under a Type II-B procedure: (12/18)

1. Transit Station (5/09)

2. Designation or Removal of a Historic Resource (9/18)

3. Development Standards Alternative within Keizer Station (12/18)

C. Type II-C: A quasi-judicial action in which the Planning Commission applies a mix of objective and subjective standards that allow considerable discretion. Type II-C actions follow the procedures found in Section 3.202.04. Staff has an advisory role. The Planning Commission shall hold a public hearing and make the decision instead of the Hearings Officer. Public notice and a public hearing are provided. Section 3.204 lists the notice requirements. Section 3.206 sets forth the hearings process. The following actions are processed under a Type II-C procedure: (12/18)

1. Nursing and Residential Care Facilities (6/11)

2. Cottage Cluster Developments with the creation of lots (6/14)

3. Cottage Cluster Developments with or without the creation of lots in an RS zone. (6/14)

4. Permit for demolition, modification, or moving of a Historic Resource (9/18)

5. Development Standards Alternative (12/18)

3.101.03 Type III Actions - Summary

A Type III action is a quasi-judicial process in which the City Council applies a mix of objective and subjective standards. A Type III action follows the procedures found in Section 3.202.04. Staff and the Hearings Officer have advisory roles for Comprehensive Plan Map Amendments and Zone Changes. Staff and Planning Commission have advisory roles for Annexations. Public notice is provided and public hearings are held before the Hearings Officer, Planning Commission and City Council as determined by the application. Section 3.204 lists the notice requirements. In addition to applications by private parties, the City Council, by resolution, may initiate a Type III action. Appeal of the decision is to the Land Use Board of Appeals (LUBA). The following actions are processed under a Type III procedure: (2/01)

A. Comprehensive Plan Map Amendments (involving 5 or fewer adjacent land ownerships) (5/98)

B. Zone Changes (involving 5 or fewer adjacent land ownerships) (5/98)

C. Annexation (5/98)

D. Keizer Station Master Plans which may include Subdivision and Partitioning (4/10)

E. Keizer Station Master Plan Amendment (10/18)

F. Lockhaven Center Master Plans (see Section 2.130.08)

3.101.04 Type IV Actions - Summary

A Type IV action is a legislative review in which the City considers and enacts or amends laws and policies. A Type IV action follows the procedures found in Section 3.203. Private parties cannot apply for a Type IV action; it must be initiated by City staff, Planning Commission, or City Council. Public notice and hearings are provided in a Type IV process. The following actions are processed under a Type IV procedure: (2/01)

A. Text Amendments to the Comprehensive Plan (5/98)

B. Text Amendments to the Development Code (5/98)

C. Enactment of new Comprehensive Plan or Development Code text (5/98)

D. Comprehensive Plan Map Amendments (involving more than 5 adjacent land ownerships, or, non-adjacent properties) (5/98)

E. Zone Changes (involving more than 5 adjacent land ownerships, or, non-adjacent properties) (5/98)

LAND USE APPLICATION PROCESS (12/18)

LAND USE ACTION	TYPE	STAFF	HEARINGS OFFICER	PLANNING COM-MISSION	CITY COUNCIL
Signs, Temporary Use	I-A	Final Decision	Appeal of Staff Decision		Appeal of H.O. decision
Floodplain Development Permit (including Floodplain Development Permit Variances (3/10)	I-B	Final Decision	Appeal of Staff Decision		Appeal of H.O. decision
Greenway Development Permit	I-B	Final Decision	Appeal of Staff Decision		Appeal of H.O. Decision
Conditional Use (except Transit Station) (5/09)	I-B	Final Decision	Appeal of Staff Decision		Appeal of H.O. Decision
Variance (Minor and Signs)	I-B	Final Decision	Appeal of Staff Decision		Appeal of H.O. Decision

LAND USE ACTION	TYPE	STAFF	HEARINGS OFFICER	PLANNING COM-MISSION	CITY COUNCIL
Property Line Adjustment	I-B	Final Decision	Appeal of Staff Decision		Appeal of H.O. Decision
Partition	I-B	Final Decision	Appeal of Staff Decision		Appeal of H.O. Decision
Development Review	I-C	Final Decision		Appeal of Staff Decision	Appeal of Planning Commission Decision
Alternative Design Review for Detached Accessory Dwelling Unit (Front Yard) (1/19)	I-C	Recommendation to Planning Commission		Final Decision	Appeal of Planning Commission Decision
Variances (Major)	I-D	Final Decision		Appeal of Staff Decision	Appeal of Planning Commission Decision
Subdivision	II	Recommendation to Hearings Officer	Final Decision		Appeal of H.O. Decision
Planned Unit Development	II	Recommendation to Hearings Officer	Final Decision		Appeal of H.O. Decision
Manufactured Home Park	II	Recommendation to Hearings Officer	Final Decision		Appeal of H.O. Decision
Transit Station (5/09)	II-B	Recommendation to City Council			Final Decision
Designation or Removal of a Historic Resource (9/18)	II-B	Recommendation to City Council			Final Decision
Development Standards Alternative (12/18)	II-B	Recommendation to Planning Commission		Final Decision	Appeal of Plan Comm Decision

LAND USE ACTION	TYPE	STAFF	HEARINGS OFFICER	PLANNING COM-MISSION	CITY COUNCIL
Development Standards Alternative within Keizer Station (12/18)	II-B	Recommendation to City Council			Final Decision
Nursing and Residential Care Facilities (6/11)	II-C	Recommendation to Planning Commission		Final Decision	Appeal of Plan Comm Decision
Cottage Cluster Development as a Conditional Use (6/14)	II-C	Recommendation to Planning Commission		Final Decision	Appeal of Plan Comm Decision
Permit for demolition, modification, or moving of a Historic Resource (9/18)	II-C	Recommendation to Planning Commission		Final Decision	Appeal of Plan Comm Decision
Comprehensive Plan Map Amendment	III	Recommendation to Hearings Officer	Recom-mendation to City Council		Final Decision
Zone Change	III	Recommendation to Hearings Officer	Recom-mendation to City Council		Final Decision
Annexation	III	Recommendation to Planning Commission		Recom-mendation to City Council	Final Decision
Keizer Station Master Plan	III	Recommendation to Planning Commission		Recom-mendation to City Council	Final Decision
Keizer Station Master Plan Amendment	III	Recommendation to City Council			Final Decision
Text Amendments; Legislative Zone and Comprehensive Plan Map Changes	IV	Recommendation to Planning Commission		Recom-mendation to City Council	Final Decision

b) Encourages affordable housing.

c) Creates a town center for Keizer. (2013)

d) Creates new employment opportunities in Keizer.

e) Preserves open space areas along Claggett Creek, and the Willamette River.

b. Low-Density Residential

1) Allow single-family residential uses as the predominant land use type in low-density residential areas.

2) Ensure that:

a) Land use is predominately single-family residential, with as many as 8 units per gross acre.

b) A variety of housing types are allowed in this category such as detached, attached duplex and manufactured housing. The zoning and subdivision ordinance will more specifically describe structural types. In this district, each residential unit will be on a single lot.

c) Schools, neighborhood shopping facilities, parks and churches are allowed in this category subject to conditional use criteria to be defined in the zoning ordinance.

3) Refer to the Keizer Revitalization Plan and River-Cherry Overlay District for policies and standards regarding housing in the Keizer Revitalization Plan area.

c. Medium Density Residential

1) Allow a mix of housing types in this category at a density averaging from 6 to 10 dwelling units per acre. Identify criteria and location for this category in the zoning ordinance.

2) Allow detached, attached, duplex, and multiple family housing in this category.

3) Schools, neighborhood shopping facilities, parks and churches are allowed in this category subject to conditional use criteria in the zoning ordinance.

4) Refer to the Keizer Revitalization Plan and River-Cherry Overlay District for policies and standards regarding housing in the Keizer Revitalization Plan area.

d. Medium and High Density Residential

1) Allow a mix of housing types in this category in two general levels of residential density:

a) Medium density-over 8 and up to 16 units per gross acre.

b) High density-over 16 units per gross acre. Identify criteria and location for these two sub-categories in the zoning ordinance.

2) Allow attached, duplex and multiple housing in this category.

3) Allow a ten-year surplus of vacant buildable land in this category.

4) Schools, neighborhood shopping facilities, parks and churches are allowed in this category subject to conditional use criteria to be defined in the zoning ordinance.

5) Refer to the Keizer Revitalization Plan and River-Cherry Overlay District for policies and standards regarding housing in the Keizer Revitalization Plan area.

e. Mixed Use

1) Provide areas intended for development that combines commercial and residential uses in a single building or complex. These areas will allow increased development on busier streets without fostering a strip commercial appearance. The designation encourages the formation of neighborhood “nodes” of activity where residential and commercial uses mix in a harmonious manner. This development type will support transit use, provide a buffer between busy streets and residential neighborhoods, and provide new housing opportunities in the City. The emphasis of the nonresidential uses is primarily on locally oriented retail, service, and office uses. Commercial development may occur within the same building or complex as residential development. Clusters of residential and commercial uses around landscaping features or parking areas will also occur. Development is intended to be pedestrian-oriented with buildings close to and oriented to the sidewalk. Parking may be shared between residential and commercial uses.

2) Allow detached, duplex and multiple family housing.

3) Refer to the Keizer Revitalization Plan and River-Cherry Overlay District for policies and standards regarding mixed use in the Keizer Revitalization Plan area.

f. Commercial

1) Provide for retail office centers:

a) Allowed uses are department stores, offices, other retail facilities, and medium and high-density housing.

b) A retail-office center should:

(1) Be from 20 to 50 acres in size.

(2) Have direct access from one or more arterial streets.

(3) Be centrally located to existing and future residential neighborhoods.

(4) Provide facilities and services to Keizer as a primary market.

(5) Not encourage traffic through residential neighborhoods.

c) ~~A retail-officer center will be located west of North River Road and north of Olson Street at the McNary Activity Center.~~

2) Provide for an employment area service center:

a) Allowed uses are retail, service and office uses related to nearby industrial districts, and area commercial uses serving the traveling public such as restaurants, hotels, conference centers and shopping facilities.

b) A employment area service center should:

(1) Be from 20 to 50 acres in size.

(2) Have direct access from I-5 and an arterial street.

(3) Provide facilities and services to adjacent industrial areas and to the traveling public.

(4) Not encourage traffic through residential neighborhoods.

(5) Be a unified district with coordinated circulation, parking and landscaping, not a collection of small unrelated commercial developments.

c) An employment area service center is located near the Chemawa Interchange in the Keizer Station. (2013)

5) Discourage subdivision of existing parcels within the special policy area until the completion of the studies noted above.

6) Continue the agricultural zoning in the special policy area until the completion of the studies noted above.

j. Activity Centers

1) Designate Activity Center overlay districts for:

~~a) McNary Activity Center~~ ~~b~~a) Keizer Station ~~c~~b) Future high value employment site as identified in the EOA

(2013)

The purpose of the activity center overlay is to encourage a mix of intensive land uses emphasizing transit and pedestrian activity, and to allow flexibility of development regulations.

2) Require that design plans for each activity center are prepared and approved before specific development applications in the activity centers are approved. Development in this case includes subdivisions and partitioning where new vacant, developable lots are created, and the construction of new commercial or industrial buildings. The land use designations shown on the zoning map before a design plan is adopted, are generalized and will be refined during the development of design plans. Transfer of development rights within activity centers is allowed, and the use of planned developments is encouraged. Design plans will be prepared for entire activity centers, not individual parcels or for individual projects. **(2013)**

3) Assume a leadership role in preparing activity center design plans. The planning process should involve property owners, interested developers, residents, and other affected jurisdictions. Once an activity center design plan is prepared, adopt it as a part of the Comprehensive Plan.

4) Require that activity center design plans include at a minimum:

a) The activity center design plan shall provide for a coordinated approach to area planning and development and shall provide policies and other standards for development within the activity center.

b) The activity center design plan shall show the general proportion of land uses, location of major public facilities, location of parks, open space, public lands and other public uses. It is anticipated that the land use designations and

51

k) Park and Ride facilities;

l) Public restrooms;

m) Street tree and median landscaping and development; and

n) Open space, pedestrian plazas.

8) Design Plans for all currently approved designated activity centers have been adopted. (2013)

9) The following objectives for the McNary Activity Center. (2013)

~~a) Primary uses are retail-office center, public park and open space lands including the 50-acre lake, medium and high density residential.~~

~~b) If possible, integrate the McNary Golf Course, lake, public open spaces, civic center, and Claggett Creek corridor for public access and enjoyment.~~

~~c) Encourage mixed use developments and multi-use structures. Within the district, pedestrian circulation and access should be emphasized.~~

~~d) Provide for adequate off-street parking and loading, and public transportation facilities.~~

10) The following objectives for the Keizer Station: (2013)

~~a)~~ The primary uses are regional service center, light industry, hotel/motel and supporting facilities, convention facilities, and retail shopping facilities.

~~b)~~ Improve access to the district and Lockhaven Drive. Coordinate transportation improvements with the industrial district to the north.

11) Establish the following objectives for high value employment site: (2013)

~~a)~~ The primary uses are: **(2013)**

(1) Medical facilities, including research, development and support (2013)

(2) Information technology/back office (2013)

(3) Educational services, including educational research and job training (2013)

(4) Professional services, including corporate headquarters (2013)

53

3. FINDINGS: TRANSPORTATION

a. General

1) The SKATS Area Wide-Transportation Plan is a comprehensive planning effort for the entire Salem-Keizer urban area. The plan addresses streets and highways, bicycles, pedestrian, public transit and alternative modes. (2013)

2) The SKATS effort assumed growth forecasts and a land use plan for Keizer consistent with the Keizer Comprehensive Plan. (2013)

3) The City of Salem has recognized the SKATS plan is relatively short range in nature and has therefore in 1990 adopted the Salem Transportation Plan. This plan, which applied to Salem only, reflects longer range population, employment, and land use projections.

4) The City of Keizer has adopted its own Transportation System Plan (TSP) and was recently updated in April 2009. The Keizer TSP contains findings, goals, objectives, and policies on a number of aspects related to the transportation system in Keizer. By this reference the TSP is made a part of the comprehensive plan. (2013)

4. GOALS AND POLICIES: TRANSPORTATION

a. General Goals

1) Maintain the goals and objectives of the Keizer Transportation Plan as the goal statements for the City of Keizer. (2013)

b. General Policies

1) The policies within the Keizer TSP, adopted April, 2009 are the basis for guiding surface transportation improvements in Keizer. (2013)

2) Encourage and assist in the updating of the SKATS.

a) Provide population and employment forecasts, and land use forecasts by traffic analysis zone to SKATS staff.

b) Continue to actively participate in the SKATS program.

3) Refer to the Keizer Revitalization Plan and River-Cherry Overlay District for policies, recommended improvements, and standards related to transportation in the Keizer Revitalization Plan area.

c. Roadways

57

5. 1991 Sewage Treatment Agreement, City of Keizer and City of Salem,

D. DOCUMENTS INCORPORTED INTO PLAN

~~1. McNary Activity Center Design Plan December 1991~~

~~2.~~1. Master Sewer Plan Update 1992

~~3.~~2. Master Sewer Plan Update December 1993

~~4.~~3. Dual Interest Area Agreement

~~5.~~4. Master Sewer Plan Update January 30, 2003

~~6.~~5. Parks and Recreation Master Plan dated January 2008

~~7.~~6. City of Keizer Transportation Systems Plan (April 2009)

7. Keizer Revitalization Plan ([adoption date])

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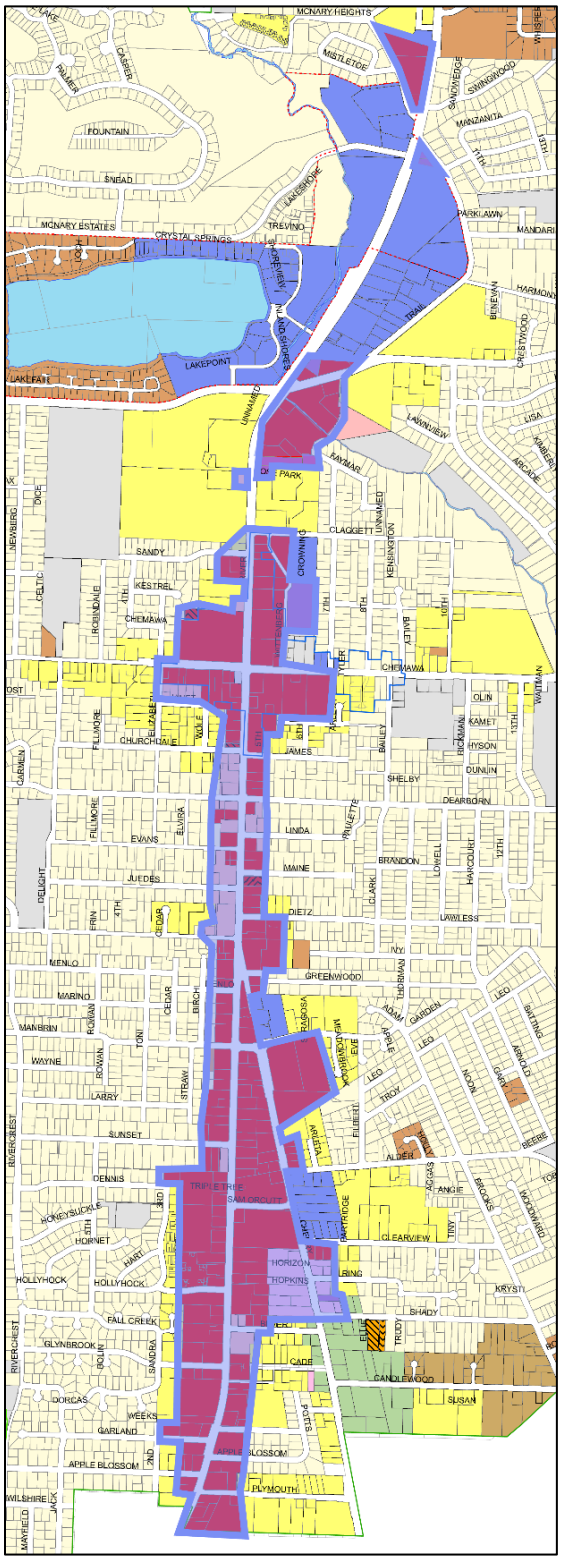
Chapter V

APPENDIX C – ZONING MAP AMENDMENTS

Rezoning of commercial parcels to Mixed Use (MU)



CITY COUNCIL MEETING: October 7, 2019

AGENDA ITEM NUMBER:_____

TO: **MAYOR CLARK AND COUNCIL MEMBERS**

THROUGH: **CHRISTOPHER C. EPPLEY, CITY MANAGER**

FROM: **E. SHANNON JOHNSON, CITY ATTORNEY**

SUBJECT: **REVOCABLE LICENSE AGREEMENT (SUNSET PARK)**

Darrell Richardson and Shirley DeShon have a License to use Sunset Park to access their backyard. The License terminates when Mr. Richardson and Ms. DeShon have no further interest in their property.

Mr. Richardson and Ms. DeShon have decided to move out of state and are selling their property. They requested that the City extend the License agreement to a new buyer of their property. While the Council did not want to extend the License agreement on the same terms, Council indicated that staff could try to work out a solution with a new buyer.

After discussions with staff and meeting with Mr. Richardson and Ms. DeShon on the property, the idea of a revocable license agreement was determined as the best solution. The revocable license agreement will be between the new purchaser (Michael Leupitz) and the City. The revocable license would be for a narrow strip of Sunset Park (approximately 4 to 6 feet wide) along the north property line from the street to the back edge of the current house. The exact location will be determined by a survey to provide for a total of 12 feet from the edge of the house eave to allow a recreational vehicle to access the back yard. The location is designed to avoid any damage to trees in the park. The revocable license agreement makes clear that it will be for the use by the property owner only and can be revoked.

Mr. Leupitz is agreeable to the Revocable License Agreement. (Please note that the exhibits are not attached. The licensed area description must be prepared by a surveyor and is not ready as of the deadline for packet materials.)

RECOMMENDATION:

Adopt the attached Resolution Authorizing the City Manager to Sign the Revocable License Agreement.

Please let me know if you have any questions. Thank you.
ESJ/tmh

CITY COUNCIL, CITY OF KEIZER, STATE OF OREGON

Resolution R2019-_____

AUTHORIZING THE CITY MANAGER TO SIGN REVOCABLE LICENSE AGREEMENT WITH MICHAEL G. LEUPITZ REGARDING SUNSET PARK

WHEREAS, Darrell Richardson and Shirley DeShon requested that the License Agreement between them and the City be extended to a new buyer of their property;

WHEREAS, Council determined they did not want to extend the Richardson/DeShon License Agreement, but wanted to accommodate the new buyer;

WHEREAS, the new buyer and the City have reached agreement on the matter;

NOW, THEREFORE,

BE IT RESOLVED by the City Council of the City of Keizer that the City Manager is authorized to execute the Revocable License Agreement, a copy of which is attached as Exhibit "A" and by this reference incorporated herein.

BE IT FURTHER RESOLVED that the City Manager is authorized to attach the appropriate exhibits to the Revocable License Agreement.

BE IT FURTHER RESOLVED that the City Manager is authorized to take any further action contemplated, or appropriate and necessary with regard to this Agreement.

Keizer City Attorney
930 Chemawa Road NE
PO Box 21000
Keizer, Oregon 97307
503-390-3700

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately upon the date of its passage.

PASSED this _____ day of _____, 2019.

SIGNED this _____ day of _____, 2019.

_____
Mayor

_____
City Recorder

Keizer City Attorney
930 Chemawa Road NE
PO Box 21000
Keizer, Oregon 97307
503-390-3700

AFTER RECORDING
RETURN TO:
City Attorney
City of Keizer
PO Box 21000
Keizer, OR 97307

UNTIL A CHANGE IS REQUESTED
SEND ALL TAX STATEMENTS TO:
No Change

REVOCABLE LICENSE AGREEMENT

Agreement made _____, 2019 between the City of Keizer, an Oregon municipal corporation, hereinafter called "Licensor," and Michael G. Leupitz, hereinafter called "Licensees."

RECITALS:

A. Licensor is owner of Sunset Park, Lot 2, Block 3, Rivercrest Acres, Marion County, Oregon.

B. Licensees are owners of property located at 3985 Rivercrest Drive N., Keizer, Oregon (the"Residence") described as follows:

See Exhibit "A" attached hereto and by this reference incorporated herein.

C. Licensees wish to have a License to access a portion of their property.

D. Licensor is willing to grant a Revocable License on limited terms.

In consideration of the mutual promises herein contained, the parties agree as follows:

AGREEMENT:

Section 1. Grant of License: Description of Premises. Licensor hereby grants to Licensees a personal license to use, subject to all of the terms and conditions stated herein, the portion of Licensor's property commonly known as Sunset Park that is described on

Exhibit "B" and depicted on Exhibit "C" attached hereto (the "Premises") and by this reference incorporated herein.

Section 2. Limitation to Described Purpose. The Premises described herein may be used by Licensees solely for the purpose of Licensees' vehicles obtaining limited access to the riverside portion of the Residence during the period beginning on the date this License Agreement is fully signed and continuing until this Agreement is terminated as hereinafter provided.

Section 3. Additional Restrictions. Licensees shall transport only vehicles (including watercraft) that is owned or commercially leased by Licensees. Regular daily access or vehicular access for any accessory dwelling unit is prohibited. The intent of this Agreement is to allow vehicles of the Licensees only and only when at least one Licensee is present.

Section 4. No Monetary Consideration. This permission is given to Licensees as an accommodation to Licensees and it shall be free.

Section 5. Gravel Driveway Only. Licensees may lay gravel only in the Premises. Licensees shall be responsible for removal of the existing block wall and any other material, and Licensees are responsible for installation of a new fence.

Section 6. No Interference With Park. Licensees' use of the described Premises shall not interfere with the remaining park property by others lawfully thereon.

Section 7. No Buildings, Structures or Alterations. Licensee shall not erect any buildings, structures or make any other alteration on the Premises described herein except for a gravel driveway and fence placed at Licensees' expense.

Section 8. No Other Use or Nuisance. Licensees shall not use the Premises described herein for any purposes other than set forth herein and shall not perform or permit any disorderly conduct or commit any nuisance on the described Premises. Licensees shall not place, park or store, even temporarily, any vehicles or material whatsoever on the described Premises.

Section 9. Privilege Assignable Under Limited Terms. Licensees' privileges hereunder shall be assignable by Licensees, only as follows:

a. This License Agreement may only be assigned to the fee simple owners of the Residence.

b. Licensees must provide a true and correct fully signed copy of this License Agreement to the buyer(s) prior to sale and closing of Residence.

c. Buyers must sign an acknowledgement of receipt of the copy of the License Agreement which states they agree to be bound by the terms of such Agreement prior to the closing date. Such acknowledgment must be delivered to Licensor within five (5) days after closing.

Section 10. Joint Licensees. In the event Licensees are two or more persons, then the obligations of Licensees shall be their joint and several obligations, and notice given to one of them shall be deemed notice to all.

Section 11. Conditions of Premises Not Warranted. Licensor does not warrant or represent that the Premises are safe, healthful, or suitable for the purposes for which they are permitted to be used under the terms of this License.

Section 12. Indemnification of Licensor. Licensees shall indemnify Licensor for any and all liability for personal injuries, property damage or for loss of life or property resulting from, or any in way connected with Licensees' use of the Premises covered by this License or any means of ingress thereto or egress therefrom, except liability for personal injuries, property damages, or loss of life or property caused solely by the negligence of Licensor or others. Licensees shall indemnify Licensor for claims regarding use by Licensees of the Premises in any way.

Section 13. Licensees Has No Interest or Estate. Licensees agree that they and each of them do not and shall not claim at any time, any interest or estate of any kind or extent whatsoever in the Premises for any reason. Licensees hereby acknowledge the title of Licensor to the above described Premises and agree never to assail, restrict or deny such title. Licensees use is permissive only and can be revoked.

Section 14. Written Agreement as Entire Understanding of Parties. The making, execution and delivery of this Agreement by Licensees has been induced by no representations, statements, warranties or agreements other than those herein expressed. This Agreement embodies the entire understanding of the parties. There are no further or other agreements or understandings, written or oral, in effect between the parties, relating this subject matter hereof. This instrument may be amended or modified only by an instrument of equal formality signed by the respective parties.

Section 15. Automatic Termination. This License Agreement automatically terminates if Licensees transfers the Residence in any way without abiding by the requirements of Section 9.

Section 16. Termination. Either party may terminate this License Agreement for any or no reason by giving a ninety (90) day written notice to the other party. Upon termination, Licensees shall remove any fence in the Premises and any other improvements. Licensor shall install a new fence on the property line. The party terminating the License may record a document extinguishing this License after the conclusion of the ninety (90) day period.

Section 17. License Agreement Recordable. This License Agreement shall be recorded in the real property records at Licensees' expense.

Section 18. Notice. All notices or other communications required or permitted under this License Agreement must be in writing and must be (1) personally delivered (including by means of a professional messenger service), which notices and communications will be deemed received on receipt at the office of the addressee; or (2) sent by registered or certified mail, postage prepaid, return receipt requested, which notices and communications will be deemed received three days after deposit in the United States mail, postage prepaid.

To Licensees:	Michael G. Leupitz 3985 Rivercrest Drive N Keizer, OR 97303
To Licensor:	City of Keizer c/o Tracy Davis, City Recorder PO Box 21000 Keizer, OR 97307
With a Copy to:	Keizer City Attorney PO Box 21000 Keizer, OR 97307

Notice of change of address shall be given by written notice in the manner detailed in this paragraph.

Section 19. Remedies. The parties agree that the prevailing party in an action for the breach of this License shall be entitled to a) specific performance of the terms of this License, and each of them; b) reasonable legal fees; and c) any other remedies available at law or in equity. The rights under this License are cumulative. The failure to exercise on any occasion any right shall not operate to forfeit the right on another occasion. The use of one remedy shall not be taken to exclude or waive the right to use another.

IN WITNESS WHEREOF, the parties have caused this instrument to be executed by its duly authorized representatives.

LICENSOR	LICENSEES
CITY OF KEIZER, an Oregon municipal corporation	
By:_____	_____
Christopher C. Eppley, City Manager	Michael G. Leupitz
Dated:_____	Dated:_____

STATE OF OREGON)
) ss.
County of Marion)

This instrument was acknowledged before me on _____, 2019 by Christopher C. Eppley as City Manager of the City of Keizer.

_____
Notary Public of the State of Oregon
My Commission Expires:_____

STATE OF OREGON)
) ss.
County of Marion)

This instrument was acknowledged before me on _____, 2019 by Michael G. Leupitz.

_____
Notary Public of the State of Oregon
My Commission Expires:_____

MINUTES
KEIZER CITY COUNCIL
Monday, September 16, 2019
Keizer Civic Center, Council Chambers
Keizer, Oregon

CALL TO ORDER

Mayor Clark called the meeting to order at 7:00 pm. Roll call was taken as follows:

Present:
Cathy Clark, Mayor
Kim Freeman, Councilor
Daniel Kohler, Councilor
Laura Reid, Councilor
Elizabeth Smith, Councilor
Roland Herrera, Councilor

Absent:
Marlene Parsons, Councilor
Youth Councilor Christopher Wolfert

Staff:
Chris Eppley, City Manager
Shannon Johnson, City Attorney
Nate Brown, Community Development
Shane Witham, Senior Planner
Bill Lawyer, Public Works Director
John Teague, Police Chief
Tim Wood, Finance Director
Tracy Davis, City Recorder

FLAG SALUTE

Mayor Clark led the pledge of allegiance.

SPECIAL ORDERS OF BUSINESS

a. US Census Bureau Presentation

Kirsten Stein, Partnership Specialist with the United States Census Bureau, shared information about the census through a slide presentation and handouts.

COMMITTEE REPORTS

Matt Lawyer, Keizer, provided a report on Claggett Creek Watershed Council planned projects and partnerships and shared information about the Keizer Little League Park Long Range Planning Task Force plans to create a long term maintenance and sustainability governance for the complex.

Garry Whalen, Keizer, Planning Commission Chair, shared details of the discussion that took place at the recent meeting and noted that Commissioners Juran and DeBlasi would be leaving the Commission and two new commissioners would be sworn in in October.

PUBLIC TESTIMONY

Caterina Rosenfeld, Independence, shared information about her daughter, the difficult life situation she has endured and inadequate treatment received from Keizer police. She asked that police be trained more thoroughly so that they can respond properly to women who are

assaulted and treat mentally disabled individuals with respect and asked that the Keizer Police Chief be more accessible to the public.

Mayor Clark expressed sympathy to Ms. Rosenfeld and noted that Mr. Eppley would be in contact with her.

Amy Ryan Courser, Keizer, announced that that she was a candidate for Congress District 5 and shared her plan.

PUBLIC HEARING

a. Keizer Revitalization Plan

Mayor Clark opened the Public Hearing. She urged Council and staff to take on this issue carefully and methodically and to talk about what is important and work through the document.

Community Development Director Nate Brown summarized his staff report. Li Alligood (OTAK) provided information through a slide show. Matt Hastie (APG) went through the Development Code and the Comprehensive Plan amendments portion of the Plan. Susan Wright (Kittelson) reviewed the transportation components of the Plan. Consultants and staff then provided clarification and fielded questions regarding accessory dwelling units, driveway spacing, changes associated with redevelopment and window coverings. Ms. Alligood reviewed the final section of the Plan which was on public investment, implementation and funding.

Wayne Frey, Keizer, voiced opposition to the proposed trail loop and urged Council to refrain from adopting this portion of the Plan. He noted that he is in favor of bike and pedestrian trails but does not want one in his back yard. Mr. Brown responded that this is identified as a concept but there is no detail of the specific location. It would be in conjunction with major development of the entire area and property would not be condemned.

Jonathan Thompson, Keizer, President of the Keizer Chamber of Commerce, voiced support for simplifying the zoning on River Road, nodes and center development, a main street program or urban renewal district and the proposed changes at McNary and River Road. He expressed concern with reducing parking standards, applicability standards and narrower lane widths on River Road. Discussion followed regarding the level of window opaqueness standard.

Jonathan Eggert, McNary Estates, voiced concern regarding lowering the parking requirements and asked that when changes happen to intersections they happen quickly.

Audey Robinson, Keizer, voiced concern about the 60-foot road that will cut across the farmer's field across the street from his home. He asked when it would happen, where it will go, and what will happen to Trail Avenue and Manzanita. Mr. Brown and Mr. Witham explained that this refers to the realignment which has been in the Transportation System Plan for about a decade and that existing right-of-way would be used but additional acquisition might be necessary; some questions, however, cannot be answered until the Transportation System Plan is updated.

They assured Mr. Robinson that the project would take place in the ‘years’ future, not ‘months’.

Tim Smith, Keizer, expressed support for the Plan, shared development prospects in Keizer, suggested initiation of an Urban Renewal District to fund the extension of Verda Lane, and cautioned that because of the lack of depth on River Road, redevelopment would be a challenge. Discussion followed regarding zoning and zone changes

Kathy Lincoln, Keizer, speaking as a member of the Traffic Safety/ Bikeways/ Pedestrian Committee and as a Keizer citizen, voiced support for mid-block pedestrian crossings on River Road, urged that the sidewalks be widened to 8 feet on both sides of River Road south of Chemawa and expressed excitement about the proposed redevelopment of the River Road corridor.

Gonzalo Contreras, Keizer, questioned if ‘tiny houses’ were allowed in Keizer. Mr. Witham explained that Keizer does not have adopted standards for tiny houses but that the Plan reduces minimum lot sizes and, if it goes through, property owners would have more flexibility. He concluded that the City Code allows for accessory dwelling units but not homes on wheels.

Keith Jenke, owner of property on Cherry and River Road, indicated that he supported the Plan but had concerns about the strategy on building improvements because they might be expensive and force a tenant to leave or discourage development rather than encourage it.

Jeremy Grenz, Keizer, voiced support for the Plan and indicated that his concerns were in line with those of Tim Smith and Jonathan Thompson. Discussion followed regarding the 20% assessed value threshold, parking, allowed uses and pedestrian crossings.

Council expressed the desire that the 25% assessed value threshold be the value of the building and the property. Exemptions would include: Interior remodels that are not connected to a change in use or that have a change in use that does not increase intensity of use or trip generation, equipment upgrades, and major maintenance work such as roof, HVAC and repaving of a parking lot.

Following discussion Council agreed by consensus to have the consultants bring back some language options on the above suggestion.

Following discussion about mid-block pedestrian crossings, Council agreed that they wanted drop off River Road and concentrate on the overlay district alone at this time. Mr. Brown explained that this would include an engineering study to determine if a crossing is warranted and determination of suitable treatments.

Consultant Matt Hastie provided clarification and additional information regarding the recommended reduction in parking requirements.

Mr. Brown suggested crafting language that would lower the minimum but allow the choice to use the new minimum or use the provisions in the current Code. Discussion followed regarding parking in centers and the overlay district, and parking reductions standards.

Discussion took place regarding referencing the trail along Claggett Creek even though it is not within the district, adding local examples to the Plan, clarification of setback requirements, perceived conflicts between the Plan and the Code, removal of the sign code, lane width reduction, accommodating cyclists and pedestrians, and the 'preferred option'.

Council suggested that a list of public identified goals for the multi-use corridor along River Road with examples of what it could look like be included in the Plan rather than having a 'preferred option'. Mr. Brown noted that it is a priority of the City to address pedestrian and mobility issues in its corridors. Council asked the consultants to provide examples from other cities of the narrower lanes and multi-use paths on one side of an arterial.

Following discussion regarding the location of public plazas, Council agreed by consensus to replace 'focal points' with 'gathering places' on page 23 under the picture of the Christmas tree and that 'an opportunity to create community gathering places' be included on this page as well.

Mayor Clark closed the Public Hearing but left the record open for 14 days with a 5:00 p.m. September 30 deadline for submittal of written comments.

ADMINISTRATIVE ACTION

a. ORDINANCE – Regulating the Maintenance, Reconstruction, Alteration and Repair of Sidewalks; Repealing Ordinance No. 2016-758 (Second Reading)

Mr. Johnson explained that because this ordinance did not pass unanimously at the last meeting it was being brought back for a second vote.

Councilor Freeman moved that the Keizer City Council adopt a Bill for an Ordinance Regulating the Maintenance, Reconstruction, Alteration and Repair of Sidewalks; Repealing Ordinance No. 2016-758 (Second Reading). Councilor Herrera seconded. Motion passed as follows:

AYES: Clark, Reid, Freeman, Herrera, Smith and Kohler (6)
NAYS: None (0)
ABSTENTIONS: None (0)
ABSENT: Parsons (1)

CONSENT CALENDAR

a. Approval of September 3, 2019 City Council Regular Session Minutes

Councilor Freeman moved for adoption of the Consent Calendar. Councilor Herrera seconded. Motion passed as follows:

AYES: Clark, Reid, Freeman, Herrera, Smith and Kohler (6)
NAYS: None (0)
ABSTENTIONS: None (0)
ABSENT: Parsons (1)

COUNCIL LIAISON REPORTS

Councilor Herrera reported that he had attended the NALEO Conference and that September is National Hispanic Month.

Councilor Freeman announced that the Chamber Board is accepting nominations for the First Citizens award to be given in January.

Councilor Reid announced that Fox 12 news had done a story about the McNary soccer team who helped with sandbagging when Beaverton High School was flooded.

Councilor Kohler reported on the Traffic Safety/Bikeways/Pedestrian Committee and various other events and meetings he had attended.

Mayor Clark reported on the Strategic Economic Development Corp luncheon and announced the upcoming League of Oregon Cities conference.

OTHER BUSINESS None

WRITTEN COMMUNICATIONS Mayor Clark read a thankyou note addressed to Finance Director Tim Wood from the Keizer Heritage Foundation Board of Directors for his assistance in making sure that needed money is available in a timely fashion and for being so easy to work with.

AGENDA INPUT

October 7, 2019 - 7:00 p.m. - City Council Regular Session
October 14, 2019 - 6:00 p.m. – City Council Work Session - Cancelled
October 21, 2019 - 7:00 p.m. - City Council Regular Session
October 28, 2019 – 7:00 p.m. – City Council Work Session – Emergency Management/Report from Councilor Herrera

ADJOURNMENT Mayor Clark adjourned the meeting at 11:38 p.m.

MAYOR: APPROVED:

Cathy Clark

Debbie Lockhart, Deputy City Recorder

COUNCIL MEMBERS

Councilor #1 – Laura Reid

Councilor #4 – Roland Herrera

Councilor #2 – Kim Freeman

Councilor #5 – Elizabeth Smith

~ Absent ~

Councilor #3 – Marlene Parsons

Councilor #6 – Daniel R. Kohler

Minutes approved:_____

Written Communications/Testimony and Submitted Documents

Oregon
Kate Brown, Governor

Department of Consumer and Business Services
Director's Office
350 Winter Street NE, Room 200
PO Box 14480
Salem, OR 97309-0405
Voice: 503-378-4100
Fax: 503-378-6444
www.dcbs.oregon.gov

Dear Mayor and City Council,

Last year, more than 846,000 acres were burned, and about 4,000 Oregonians had to evacuate their homes. This year's wildfire season is far from over, which means time to prepare is now.

September is national preparedness month. A time of year to get ready for all types of disasters. Fires, earthquakes, floods, tornadoes, and winter storms are just a few of reasons to build an emergency kit and plan an escape route.

Those steps are essential to preparation, but two others are equally important and often overlooked – creating a home inventory and reviewing insurance coverage.

Having the right insurance coverage and an up-to-date home inventory are critical to financial resiliency. That importance is highlighted by the fact that National Preparedness Month is being kicked off with "Insurance Week" Sept. 1-7.

The Oregon Division of Financial Regulation invites you to join our efforts to help Oregonians protect their property and recover from disaster by declaring the first week of September as **Home Inventory Week**.

It is easy to get involved. Visit dfr.oregon.gov/preparenow to get a draft proclamation, promotional flyers, social media content, and other resources to help your neighbors and constituents prepare for the next disaster by building a home inventory and reviewing their insurance coverage.

If you have any questions about "Home Inventory Week" or need anything else, please contact our Outreach Coordinator Kevin Jeffries, kevin.p.jeffries@oregon.gov 503-947-7238

Sincerely,

Andrew Stolfi
Insurance Commissioner
Oregon Division of Financial Regulation

NATIONAL PREPAREDNESS MONTH 2019

PREPARED, NOT SCARED

FEMA | Ready

National Preparedness Month 2019

September 1-7 is Home Inventory Week

PREPARE NOW **LEARN HOW**

Get ready at dfr.oregon.gov/preparenow

DCBS | Consumer and Business Services
Division of Financial Regulation

FEMA

NATIONAL PREPAREDNESS MONTH 2019

PREPARED, NOT SCARED

FEMA | Ready

National Preparedness Month 2019

In 2018:

More than 500,000 acres burned statewide

Nearly 4,000 Oregonians evacuated from wildfires

Over 300 earthquakes in Oregon

PREPARE NOW | LEARN HOW

Get ready at dfr.oregon.gov/preparenow

DCBS | Consumer and Business Services
Division of Financial Regulation

FEMA

CHERRIOTS

555 Court St NE, Suite 5230, Salem, OR 97301 | 503-588-2424 PH 503-566-3933 FAX | **Cherriots.org**

September 23, 2019

Mayor Cathy Clark
930 Chemawa Road NE
Keizer, OR 97303

Dear Mayor Clark:

Thank you for your advocacy and ongoing support for public transportation service in the Mid-Willamette Valley.

We appreciate you joining us to celebrate the largest service expansion in Cherriots history on September 7. The overwhelming response from the community has been humbling.

Our first day of Saturday service provided about 6,400 rides. For context, we average about 14,000 rides a day during the week. We will continue to monitor ridership until we get a feel for what our average ridership will be after the free rides end in September.

Should you need additional information regarding our plans for enhanced service, please feel free to contact me by phone or email. I look forward to keeping in contact with you in the future.

Sincerely,

Ian Davidson
President, Board of Directors
Ian.davidson@cherriots.org
503-588-2424

MAILING ADDRESS:
3760 MARKET ST NE #423 → SALEM OR 97301.

CHARLES D. KEEN SR
866 DEARBORN AVE
KEIZER, OREGON
503-383-2467

RECEIVED CITY OF KEIZER
SEP 30 '19 PM 12:04

WHOM IT MAY CONCERN:

THIS IS TO FORMALLY REQUEST PERMISSION AS SO TO HAVE ALLOWED TIME TO SPEAK AS AN ADVOCATE FOR UNBORN CHILDREN THAT ARE I BELIEVE AT A SIGNIFICANT HIGH RISK FOR DEVELOPMENT OF FETAL ALCOHOL SYNDROME (FAS) WITHIN OUR COMMUNITY OF THE CITY OF KEIZER, OREGON AT YOUR NEXT SCHEDUALED CITY COUNCIL MEETING ON OCTOBER 7TH, 2019 AT 7 PM.

I AM A CIVIL AND HUMAN RIGHTS ADVOCATE FOR UNBORN CHILDREN AS WELL.

I HAVE REALIZED THAT THE ST. EDWARD'S CATHOLIC CHURCH HAS A PRACTICE OF SERVING "ALCOHOLIC WINE" DURING THEIR COMMUNION MASS SERVICES WITHOUT PROVIDING ANY FORMS OF PRE WARNINGS TO PREGNANT WOMEN, WOMEN WHOM MAY BECOME PREGNANT, OR ARE CONTEMPLATING PREGNACY.

I BELIEVE THIS PRESENTED PRACTICE BY OUR CITY OF KEIZER'S ST. EDWARD'S CHURCH PLACES

(OVER) →

UnBorn Children Fetuses To Develope Life Lasting Disabilities, And Birth Defects,

The Center for Disease Control (CDC) Has Found That Any Forms of Alcohol Consumption By A Pregnant Mother To Be Harmful To UnBorn fetuses, And That Consumption of Alcohol During Pregnacies Is Associated With Birth Defects, Learning Disabilities, And Sudden Infant Death Syndrome (SIDS).

IT will Be My goal AT The October 7th 2019 City Council Meeting To Attempt To Advocate That There Be Enacted A Keizer City Ordinance To Go With current Oregon Revised Statutes (ORS) As So To Help More Be Able to Fully Provide Protection To The Women Whom May Be Pregnant, And Their UnBorn Fetuses.