

Accessibility and Accommodation Requests

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To provide oral comments via electronic means, please contact the City Recorder's Office no later than 2:00 p.m. on the day of the meeting. Most regular City Council meetings are streamed live through www.KeizerTV.com and cable-cast on Comcast Channel 23 within the Keizer City limits.

AGENDA
KEIZER CITY COUNCIL
REGULAR SESSION

Monday, July 7, 2025

6:00 PM

Robert L. Simon Council Chambers
930 Chemawa Road NE
Keizer, Oregon

1. CALL TO ORDER

- a. Discussion regarding deeming it important that Councilor Juran appear electronically and be considered "in attendance" (Council Rules of Procedure Section 3.10 - Attendance Duty)

2. ROLL CALL

3. FLAG SALUTE

4. SPECIAL ORDERS OF BUSINESS

5. COMMITTEE REPORTS

- a. Volunteer Coordinating Committee Recommendation for Appointments - Budget Committee and Emergency Planning Committee

6. PUBLIC COMMENTS

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

7. CONSENT CALENDAR

- a. RESOLUTION - Authorizing Finance Director to Enter Into Agreement with Yireh Energy Systems for Installation of Electrical Charging Station Equipment
- b. RESOLUTION - Certification of Delinquent Sewer Accounts
- c. RESOLUTION - Affirming Intent of the City Council of the City of Keizer Regarding Funding for PERS Unfunded Accrued Liability
- d. RESOLUTION - Council Determination Regarding Adoption of Personnel Policies; Repeal of Resolution R2024-3439
- e. Approval of June 9, 2025 Work Session Minutes

- f. Approval of June 16, 2025 Regular Session Minutes

8. **PUBLIC HEARING**

- a. **RESOLUTION** - Authorization for a Supplemental Budget - General Fund and Transportation Improvement Fund - Property Acquisition
RESOLUTION - Authorization for a Supplemental Budget - General Fund - Electric Vehicle Charging Station Upgrade

9. **ADMINISTRATIVE ACTION**

- a. **ORDINANCE** - Relating to Fire Code; Amending Keizer Code Chapter 8
RESOLUTION - Repealing Resolution No. R98-1008 and Resolution R2004-1538 Relating to Fire Code
- b. Appointment to Materials Management Advisory Council
- c. **RESOLUTION** - Establishing the Amount of the Sewer System Development Charge for Wastewater Treatment Facilities; Repealing Resolution R2024-3483
- d. **ORDINANCE** - Relating to Parking Requirements; Amending Keizer Code Appendix A, Sections 1.200.04, 2.102.04, 2.102.06, 2.103.04, 2.103.06, 2.104.04, 2.104.06, 2.105.04, 2.105.06, 2.106.05, 2.107.05, 2.107.07, 2.108.06, 2.109.08, 2.110.07, 2.112.06, 2.113.06, 2.114.07, 2.115.07, 2.116.06, 2.118.03, 2.118.08, 2.119.12, 2.130.05, 2.130.09, 2.203.04, 2.303.01, 2.303.02, 2.303.03, 2.303.04, 2.303.05, 2.303.06, 2.303.08, 2.303.09, 2.303.11, 2.311.03, 2.314, 2.405.03, 2.407, 2.412, 2.413, 2.423, 2.427.07, 2.432.03, and 3.113.04
- e. **ORDINANCE** - Relating to Erosion Control; Amending Keizer Code Chapter 18, Article IV
- f. **RESOLUTION** Amending the Keizer Personnel Policies
- g. Explore Keizer Little League Management Options
- h. **ORDINANCE** - Relating to Auto-Oriented Uses in Keizer Station Area B; Amending Keizer Code Appendix A, Section 2.1104.04 and Section 2.110.05

10. **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.

11. **STAFF UPDATES**

12. **COUNCIL MEMBER REPORTS**

13. **AGENDA INPUT**

Monday, July 14, 2025 - 6:00 p.m.

City Council Work Session - Sidewalk Gap and Repair

Monday, July 21, 2025 - 6:00 p.m.

City Council Regular Session

Monday, August 4, 2025 - 6:00 p.m.

City Council Regular Session

14. ADJOURNMENT

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 Management Services are being supported, in whole or in part, by federal award number 21.019 awarded to City of Keizer by the U.S. Department of the Treasury."



To: Mayor Clark and City Council Members

Thru: Adam J. Brown, City Manager

From: Melissa Bisset, City Recorder

Subject: Volunteer Coordinating Committee Recommendation for Appointments - Budget Committee and Emergency Planning Committee

Proposed Motion

I move the City Council accept the recommendation of the Volunteer Coordinating Committee and appoint Melissa Martin to Position #2 of the Budget Committee and Joseph (Joe) Grant to Position #1 of the Budget Committee and Rhonda Rich to the Emergency Planning Committee.

I. Summary

The Volunteer Coordinating Committee met on June 12, 2025, to review and interview applicants for the Budget Committee and Emergency Planning Committee.

II. Background

- A. The Volunteer Coordinating Committee serves in an advisory capacity to the City Council and is responsible for making recommendations for appointments to various Boards, Commissions and Committees. The Committee is also responsible for the recognition of City volunteers.

III. Current Situation

- A. The openings were advertised, applications were received, and the Volunteer Coordinating Committee interviewed candidates for the openings. The VCC recommends that the Council appoint Melissa Martin to Position #2 of the Budget Committee and Joseph (Joe) Grant to Position #1 of the Budget Committee and Rhonda Rich to the Emergency Planning Committee.

IV. Analysis

- A. **Strategic Impact** - N/A
- B. **Financial** - N/A

C. **Timing** -

A. The Budget Committee and Emergency Planning Committee have openings.

D. **Policy/Legal** - The City Council approves all recommendations for appointments to boards, commissions and committees.

V. **Alternatives**

A. Approve the appointments.

B. Not approve the appointments.

VI. **Recommendation**

Staff recommends the City Council accept the recommended appointments from the Volunteer Coordinating Committee.

Attachments

None

“Agenda Management Services are being supported, in whole or in part, by federal award number 21.019 awarded to City of Keizer by the U.S. Department of the Treasury.”



To: Mayor Clark and City Council Members

Thru: Adam J. Brown, City Manager

From: Tim Wood, Assistant City Manager

Subject: Authorizing the Finance Director to Enter Into an Agreement with Yireh Energy Systems for the Installation of Electric Vehicle Charging Station

Proposed Motion

I move the City Council adopt Resolution R2025-_____ Authorizing Finance Director to Enter Into Agreement with Yireh Energy Systems for Installation of Electric Vehicle Charging Station Equipment.

I. Summary

The City's existing electric vehicle charging station (level one) was installed when City Hall was constructed in 2009 and provides for two charging stations. Due to changes in technology and demand, it has been determined that an upgraded (level two) charging station (level two) that provides for four charging stations is needed. The City was able to obtain a Federal Grant from the Department of Energy (\$75,000) and a State of Oregon Grant from the Department of Transportation (\$25,000) to cover the cost of labor and materials for the upgrade. The City solicited quotes for the upgrade project with Yireh Energy Systems providing the least-cost solution. The total project is estimated to cost \$88,521.

II. Background

- A. The City's existing electric vehicle charging station (level one) was installed when City Hall was constructed in 2009 and provides for two charging stations.

III. Current Situation

- A. Due to changes in technology and demand, it has been determined that an upgraded (level two) charging station (level two) that provides for four charging stations is needed. The City was able to obtain a Federal Grant from the Department of Energy (\$75,000) and a State of Oregon Grant from the Department of Transportation (\$25,000) to cover the cost of labor and materials for the upgrade. The City solicited quotes for the upgrade project with Yireh Energy Systems providing the least-cost solution.

IV. Analysis

- A. **Strategic Impact** - Not Applicable
- B. **Financial** - The City of Keizer was successful in receiving a Federal Department of Energy grant of \$75,000 and a State of Oregon Department of Transportation grant of \$25,000 for installing electric vehicle charging station equipment. The total cost of the project is \$88,521 and is the subject of a supplemental budget on tonight's agenda.
- C. **Timing** - The electric vehicle charging station project will commence upon approval of the contract and the related supplemental budget adjustment.
- D. **Policy/Legal** - Due to the overall cost of the project and the need for a supplemental budget adjustment, City Council approval is required to move forward.

V. Alternatives

- A. Adopt the attached resolution.
- B. Take no action and the City will retain the existing electric vehicle charging station.

VI. Recommendation

Staff recommends the City Council adopt Resolution R2025-_____ Authorizing the Finance Director to Enter Into an Agreement with Yireh Energy Systems for the Installation of Electric Vehicle Charging Station.

Attachments

- 1. RES_CC_Authorizing Finance Director Sign Yireh Energy Contract_7 7 2025
- 2. AGT_CC_Yireh Energy Systems EV Charging Station_7 7 2025
- 3. Estimate_611_2025-06-15

"Agenda Management Services are being supported, in whole or in part, by federal award number 21.019 awarded to City of Keizer by the U.S. Department of the Treasury."

CITY COUNCIL, CITY OF KEIZER, STATE OF OREGON

Resolution R2025-_____

AUTHORIZING FINANCE DIRECTOR TO ENTER INTO
AGREEMENT WITH YIREH ENERGY SYSTEMS FOR
INSTALLATION OF ELECTRICAL CHARGING STATION
EQUIPMENT

WHEREAS, the City has been awarded grants to install EV chargers;

WHEREAS, the City solicited quotes for construction and installation of EV
chargers;

WHEREAS, Yireh Energy Systems has previously worked with ODOT under the
ODOT Community Charging Rebate Program which is one of the grants (rebates)
awarded to the City;

WHEREAS, the parties have negotiated an agreement;

WHEREAS, staff desires to have Council authorization to enter into the
agreement;

NOW, THEREFORE,

BE IT RESOLVED by the City Council of the City of Keizer that the Finance
Director is authorized to sign the attached Contract for construction and installation of
EV charges with Yireh Energy Systems in the amount of \$88,521.

BE IT RESOLVED that the cost of this contract shall be from grants and rebates.

1 BE IT RESOLVED that the Finance Director shall take all actions necessary to
2 effectuate the transaction.

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

5 PASSED this _____ day of _____, 2025.

6
7 SIGNED this _____ day of _____, 2025.

8
9
10 _____
11 Mayor

12 _____
13 City Recorder



CCB#250760 (971) 237-1303

Contract for Services Rendered

This is a contract entered into by **Yireh Energy Systems LLC** and **The City of Keizer**. The Provider's place of business is **16270 SW Rock Creek Rd. Sheridan, Oregon 97378** and the Client's place of business is **930 Chemawa Road NE Keizer, Oregon 97303**. The Client hereby engages the Provider to provide services described herein under "Scope and Manner of Services." The Provider hereby agrees to provide the Client with such services in exchange for consideration described herein under "Payment for Services Rendered."

Terms of Service – Yireh Energy Systems

Effective Date: 6/14/2025

These Terms of Service ("Terms") govern the services provided by Yireh Energy Systems, a licensed general contractor ("Contractor," "Provider," "we," "our," or "us") to the client ("Client," "you," or "your") for construction and EV charger installation services.

Scope of Services

We agree to provide the following services as detailed in the project estimate, work proposal, and/or contract agreement. Changes to the scope of work must be agreed to in writing by both parties through a change order.

1. Project Management

- Management of the entire project, including site design, engineering, permits, and inspections.

2. Demo and Disposal

- Disconnection, dismantling and moving of existing charging station.
- Cutting, jackhammering, excavating, and disposal of existing concrete, including disposal fees.

3. Concrete Slab

- Form up and pour new 18ftx10ft concrete slab and finish work to accommodate new conduit and stub outs for all components.
- All work will be done in accordance with City of Keizer, Oregon Code chapter 18 articles IV and V. Work for this project will impact an area of 180 square feet total.

4. Electrical

- Install/provide 3-pole 100amp breaker in SqD D 480v panel.
 - Reroute existing 100amp wire from 100amp breaker in 240v panel to 480v panel.
 - Install raceway/wiring necessary.
 - Terminate wiring onto new breaker.
- Demo existing conduit/sub-meter that will not be needed inside the electrical room.
- Disconnect wiring.
- Install raceways/wiring necessary for new electrical distribution equipment to be installed near new charging station locations:
 - 100amp 3R 600v fused disconnect with fusing.
 - 75KVA 3R transformer – 480v primary – 120/208v secondary (ground mounted).
 - 200amp main breaker three phase 120/208v 3R panel equipped with breaker provisions necessary for new charging stations.



CCB#250760 (971) 237-1303

- Install Kindorf strut H-frame for disconnect and panel to mount on to.
- Terminate wiring/test.
- Provide/Install underground PVC raceway and wiring necessary from 200amp panel to Qty. 2) single pedestal dual port ChargePoint CP6000.
- Price includes labor, material, and electrical permit.

5. CP 6000

- Dual port charger, 5 year commercial prepaid cloud plan. 5 years prepaid warranty, shipping and handling.

6. Install and Commissioning

- Mount machines, power up, and commissioning of charging stations.
- Install proper signage to meet ODOT requirements.

7. Notes / Terms

- The disposal of the existing PGE charger is the responsibility of the Client. If Yireh Energy Systems has to dispose of the existing charger, there will be a disposal fee added to the final invoice.
- “As a 3rd party facilitator for the ODOT Community Charging Rebate program, Yireh will abide by all the rules, regulations and conditions of said program, including the pre installation and post installation application and reporting processes” And that, “Per the program requirements, City of Keizer (Client), as the site owner, shall be the direct recipient of any rebates from the ODOT CCR program. Client shall cooperate with Yireh to ensure all rules, regulations, and conditions of the ODOT CCR program are able to be followed and met.” Additionally, “Yireh shall be named as the reporting entity and backstop aggregator for this installation and be responsible for quarterly and annual site usage reporting, per the ODOT CCR program requirements.”
- Additionally, “All cloud services and warranties are pre-paid, per the ODOT CCR program requirements, for 5 years from time of equipment purchase. After the initial 5 year period, Client can determine whether to continue services or not. If so, a new contract for services will be required directly between Client and ChargePoint at that time.”
- Estimates are valid for 30 days unless otherwise noted. A deposit of half down may be required before work begins. Payment schedule will be outlined in the project agreement. Final payment is due upon substantial completion of the project.
- We strive to complete all projects in a timely manner. However, timelines may be affected by weather, material delays, change orders, or unforeseen site conditions. We are not liable for delays beyond our control.
- We are licensed, bonded, and carry general liability and workers’ compensation insurance. Our liability is limited to the value of the contract.
- If you cancel the project after work has begun, you will be responsible for payment of all work completed and materials purchased. Deposits are non-refundable unless otherwise stated in writing.
- Any disputes shall be resolved through mediation before either party may initiate legal action. Jurisdiction shall be in the state and county where the services were performed.
- These terms, along with any signed proposals, contracts, and change orders, constitute the entire agreement. No verbal agreements are binding.
-

Payment Schedule for Services Rendered

The Provider shall be paid by the client for the services rendered in the amount of \$88,521.00. A down payment of \$30,000 will be paid at the start of the job; a progress payment of \$30,000 will be paid after site construction is complete; and final payment of balance remaining will be paid upon job completion. In the event that additional labor is requested



CCB#250760 (971) 237-1303

and/or materials need to be purchased, both parties will agree in writing, and the cost will be added to the balance. This contract shall be governed by the laws of the County of Marion in the State of Oregon and any applicable Federal law.

Signatures

In witness of their agreement to the terms above, the parties or their authorized agents hereby affix their printed name and signatures:



ESTIMATE

Yireh Energy Systems LLC
16270 SW Rock Creek Rd
Sheridan, Oregon 97378
United States

9712371303
www.yirehenergy.com

BILL TO

City of Keizer
Bill Hopkins
930 Chemawa Rd NE
Keizer, Oregon 97303
United States

503-856-3435
hopkinsb@keizeror.gov

Estimate Number: 611

Estimate Date: May 16, 2025

Valid Until: June 15, 2025

Grand Total (USD): \$88,521.00

Items	Quantity	Price	Amount
Electrical 1. Install/provide 3-pole 100amp breaker in SqD D 480v panel. a. Re-route existing 100amp wire from 100amp breaker in 240v panel to 480v panel. b. Install raceway/wiring necessary. c. Terminate wiring onto new breaker. 2. Demo existing conduit/sub-meter that will not be needed inside electrical room. 3. Disconnect wiring. 4. Install raceways/wiring necessary for new electrical distribution equipment to be installed near new charging station locations: a. 100amp 3R 600v fused disconnect with fusing. b. 75KVA 3R transformer – 480v primary – 120/208v secondary (ground mounted). c. 200amp main breaker three phase 120/208v 3R panel equipped with breaker provisions necessary for new charging stations. d. Install Kindorf strut H-frame for disconnect and panel to mount on to. e. Terminate wiring/test. 5. Provide/Install underground PVC raceway and wiring necessary from 200amp panel to Qty. 2) single pedestal dual port ChargePoint CP6000. 6. Price includes labor, material, and electrical permit.	1	\$23,850.00	\$23,850.00



ESTIMATE

Yireh Energy Systems LLC
16270 SW Rock Creek Rd
Sheridan, Oregon 97378
United States

9712371303
www.yirehenergy.com

Items	Quantity	Price	Amount
CP 6000 Price includes dual port charger, 5 year commercial prepaid cloud plan. 5 years prepaid warranty and shipping and handling.	2	\$17,133.00	\$34,266.00
Install and commissioning Mount machines, power up, and commissioning of charging stations. Install proper signage to meet ODOT requirements.	1	\$4,280.00	\$4,280.00
Project Management Includes: Overseeing project from start to finish. Site design, engineering, any permits and inspections.	1	\$9,500.00	\$9,500.00
Demo and Disposal Price includes: Disconnection, dismantling and moving of existing charging station. Cutting, jackhammering, excavating, and disposal of existing concrete including disposal fees.	1	\$6,625.00	\$6,625.00
Concrete Slab Price includes: Form up and pour new 18ftx10ft concrete slab and finish work to accommodate new conduit and stub outs for all components. All work will be done in accordance with City of Keizer, Oregon Code chapter 18 articles IV and V. Work for this project will impact an area of 180 square feet total.	1	\$10,000.00	\$10,000.00
Grand Total (USD):			\$88,521.00



ESTIMATE

Yireh Energy Systems LLC
16270 SW Rock Creek Rd
Sheridan, Oregon 97378
United States

9712371303
www.yirehenergy.com

Notes / Terms

The disposal of the existing PGE charger is the responsibility of the Client. If Yireh Energy Systems has to dispose of the existing charger, there will be a disposal fee added to the final invoice.



To: Mayor Clark and City Council Members
Thru: Adam J. Brown, City Manager
From: Tim Wood, Assistant City Manager
Subject: RESOLUTION - Certification of Delinquent Sewer Accounts

Proposed Motion

I move the City Council adopt Resolution R2025-____ Certification of Delinquent Sewer Accounts

I. Summary

Eight sewer-only accounts are delinquent, totaling \$3,610.07 as of March 31, 2025. Oregon Revised Statutes 454.225 authorizes the City to certify delinquent sewer-only accounts and turn them over to Marion County for inclusion on the upcoming tax roll.

II. Background

- A. The City of Keizer collects sewer fees from residents and businesses of Keizer. Those fees if unpaid for sewer-only accounts may be certified and turned over to the Marion County Assessor for collection on property tax rolls.
- B. City staff has attempted to contact the property owners by mail and phone to facilitate payment for sewer services. However, the amounts remain outstanding.

III. Current Situation

- A. Eight (8) sewer-only accounts remain outstanding, totaling \$3,610.07 as of March 31, 2025.
- B. In order to include the amounts on the 2025-26 property tax statements for collection, the City must certify the amounts by July 15, 2025.
- C. If the amounts are not certified and turned over to Marion County, the City will continue collection efforts with the property owners.

IV. Analysis

- A. **Strategic Impact** - Not applicable.

- B. **Financial** - The total amount to certify to Marion County is \$3,610.07 for the tax year 2025-26. This compares to \$4,365.90 during the previous year.
- C. **Timing** - In order to include the delinquent amounts on the tax rolls the outstanding amount needs to be certified by July 15, 2025.
- D. **Policy/Legal** - Oregon Revised Statutes 454.225 authorizes the City to certify the delinquent sewer amount for inclusion on the County Assessor's tax roll.

V. Alternatives

- A. Adopt the attached resolution.
- B. Take No Action - The delinquent sewer amounts will remain outstanding and the City will continue to try and collect the amounts directly from the property owners.

VI. Recommendation

Staff recommends that the City Council adopt Resolution R2025-_____ Certification of Delinquent Sewer Accounts.

Attachments

- 1. RES_CC_Delinquent Sewer Assessments 2025_7 7 2025
- 2. ATT_CC_Delinquent Sewer Only Accounts_07 07 2025

"Agenda Management Services are being supported, in whole or in part, by federal award number 21.019 awarded to City of Keizer by the U.S. Department of the Treasury."

1 CITY COUNCIL, CITY OF KEIZER, STATE OF OREGON

2 Resolution R2025-_____

3 CERTIFICATION OF DELINQUENT SEWER ACCOUNTS

4
5 WHEREAS, the City of Keizer is responsible for the collection of sewer fees from
6 the residents of Keizer;

7 NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Keizer
8 that the attached Exhibit "A" is an itemized list of delinquent sewer charges through March
9 31, 2025 that the City has been unable to collect through the usual collection procedures.

10 BE IT FURTHER RESOLVED that ten percent (10%) of the delinquent amount has
11 been added as a penalty and that a \$39.00 administration fee has been added to cover the
12 City's costs.

13 BE IT FURTHER RESOLVED that the amounts certified on the attached Exhibit "A"
14 shall be added to the appropriate tax accounts as indicated pursuant to ORS 454.225.

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

17 PASSED this _____ day of _____, 2025.

18 SIGNED this _____ day of _____, 2025.

19
20 _____
21 Mayor

22
23 _____
24 City Recorder
25

City of Keizer
Delinquent Sewer Accounts
Exhibit A

Property ID	Service Address	Owner's Name	Sewer	Sewer Admin	Total Billing	Penalty 10%	Chg \$39.00	Total
564874	4940 WOLF ST N	GARY & DEBRA TEETER	\$470.94	\$37.50	\$508.44	50.84	39.00	\$598.28
520087	7225 WHEATLAND RD N	ROBERT & BARBARA HASKINS	\$470.94	\$37.50	\$508.44	50.84	39.00	\$598.28
520165	7029 FIR GROVE LANE N	SHANNON & SCOTT WHITE	\$470.94	\$37.50	\$508.44	50.84	39.00	\$598.28
560289	698 JAMES ST NE	MELANIE O SHEA	\$231.43	\$18.07	\$249.50	24.95	39.00	\$313.45
520573	5540 ST CROIX WAY NE	E-VILLAGE LLC C/O CHARLES SIDES	\$120.32	\$9.69	\$130.01	13.00	39.00	\$182.01
520570	5530 ST CROIX WAY NE	E-VILLAGE LLC C/O CHARLES SIDES	\$246.12	\$20.82	\$266.94	26.69	39.00	\$332.63
525242	1321 LAWLESS ST NE	JUVENTINO HERNANDEZ-DIMAS	\$293.26	\$23.05	\$316.31	31.63	39.00	\$386.94
520580	5580 ST CROIX WY NE	E-VILLAGE LLC C/O CHARLES SIDES	\$472.68	\$37.50	\$510.18	51.02	39.00	\$600.20
								\$3,610.07



To: Mayor Clark and City Council Members
Thru: Adam J. Brown, City Manager
From: Adam Brown, City Manager
Subject: Intent to Create PERS Side Account

Proposed Motion

I move that the City Council adopt Resolution 2025-____ Affirming Intent of the City Council of the City of Keizer Regarding Funding for PERS Unfunded Accrued Liability.

I. Summary

The City of Keizer has an unfunded accrued liability of \$24,699,691. This is the obligation the City of Keizer has to catch up on funding its pension obligations that will be owed to retired Keizer employees for the duration of their retirement, over a 20-year time period.

II. Background

- A. The city's total actuarial accrued liability for its PERS employees is \$43,699,691. The actual assets the city has on hand is \$19,171,531, leaving the unfunded actuarially accrued liability (UAAL) \$24,699,691, which means only 44% of our obligation is funded. Because it is not funded, it is amortized over 20 years. This unfunded obligation creates an annual cost of almost \$2 million.
- B. If that obligation were paid down the city would see a perpetual savings of almost \$2 million a year, which would greatly aid the city in providing essential services. With public safety being the largest part of our expenses, paying down the UAAL may be the single most important thing the city can do to maintain our current police service levels.
- C. The Budget Committee and City Council approved a strategy of paying down the PERS UAAL with the proceeds from the sale of city-owned lands.
- D. The city has recently secured one contract and one Letter of Intent on two City-owned properties. One was for \$4.5 million and the other is for \$1.9 million.

III. Current Situation

- A. On April 1st, the state allowed cities to open a side account with PERS with a guaranteed match of 25%. The city opened a side account and entered an amount

of \$3.5 million which secured a 25% match of \$875,000. With the city's contribution of \$3.5 and the state match, we would have \$4.375 million in our side account.

- B. Official action is needed by the City Council to be able to commit that amount to the PERS side account. The City has until March 1, 2026 to add that amount to the side account.

IV. Analysis

- A. **Strategic Impact** -

Establishing a side account will reduce the city's annual pension cost from what it would otherwise be which allows us to provide our essential services.

- B. **Financial** -

The sale of the \$4.5 million property will trigger a repayment of approximately \$1 million to the street fund which was used to acquire the property. That will leave \$3.5 million for the side account. Contributions to the side account have a greater value because of the assumed rate of return for PERS investments and the value of money over time. So the present value of \$1 is worth approximately 7.8% more every year over 20 years.

- C. **Timing** -

The Council needs to approve this by resolution to affirm the staff's creation of the PERS side account. The payment is expected to be made by March 31, 2026. If that deadline is missed we may lose the match. We will have to wait until an additional year's funding of match.

- D. **Policy/Legal** -

The State of Oregon requires official acts from the governing body, the Keizer City Council.

V. Alternatives

- A. Approve the Resolution - The side account will be established and if the sale goes through, we will be able to make the contribution in time to get the match of \$875,000.
- B. Take No Action - The City will not be able to send the contribution to the PERS side account.

VI. Recommendation

Staff recommends the Keizer City Council adopt Resolution 2025-_____ Affirming the Intent of the City Council of the City of Keizer Regarding Funding for PERS Unfunded Accrued Liability.

Attachments

1. RES_CC_Intent - Area B Sale Proceeds_7 7 2025

“Agenda Management Services are being supported, in whole or in part, by federal award number 21.019 awarded to City of Keizer by the U.S. Department of the Treasury.”

CITY COUNCIL, CITY OF KEIZER, STATE OF OREGON

Resolution R2025-_____

AFFIRMING INTENT OF THE CITY COUNCIL OF THE
CITY OF KEIZER REGARDING FUNDING FOR PERS
UNFUNDED ACCRUED LIABILITY

WHEREAS, the City Council of the City of Keizer wishes to affirm that
\$3,500,000 from any sale proceeds from Keizer Station Area B City-owned properties
be used for PERS unfunded accrued liabilities in the City of Keizer;

NOW, THEREFORE,

BE IT RESOLVED by the City Council of the City of Keizer as follows:

Section 1. AFFIRMATION OF INTENT. It is the intent of the City Council
to use \$3,500,000 from Keizer Station Area B sale proceeds for PERS unfunded accrued
liabilities in the City of Keizer pursuant to the terms of this Resolution.

Section 2. ONLY NET PROCEEDS AVAILABLE. The funds used to fund
PERS unfunded accrued liabilities as set forth in this Resolution shall only include
actual net available and unobligated funds. Any funds necessary for reimbursing the
street fund or development costs shall be retained.

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///

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

3 PASSED this _____ day of _____, 2025.

4
5 SIGNED this _____ day of _____, 2025.

6

7

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Mayor

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City Recorder



To: Mayor Clark and City Council Members
Thru: Adam J. Brown, City Manager
From: Joseph Lindsay, City Attorney
Subject: Non-Gift Food/Drinks Policy

Proposed Motion

I move that the City Council adopt Resolution R2025-____ Council Determination Regarding Adoption of Personnel Policies; Repeal of Resolution R2024-3439.

I. Summary

Due to a recent opinion letter from the Oregon Government Ethics Commission, the City of Keizer needs to adopt a non-gift food policy to bring current practices into alignment with this ethics opinion regarding city-provided snacks and food for employees and public officials. But first, the City of Keizer has a resolution in place that only allows the Council to approve all policies that have to do with any form of compensation. The recommended change will solely empower the City Manager to approve non-gift food policies in the workplace. It will shield the Council from having any conflicts of interest in the policy by removing the Council's ability to make the decision.

II. Background

- A. On May 9, 2025, the Oregon Government Ethics Commission (OGEC) adopted Advisory Opinion 25-126A, opining that when any public official receives food from their own organization, they are not receiving a gift, but rather being compensated. Therefore, to retain the ability to ethically receive City-provided food when it is not offered to everyone in attendance, the City needs to have a policy in place regarding food compensation. However, ethics laws also don't allow a public official to vote on their own compensation--it creates a conflict of interest that requires recusal.

III. Current Situation

- A. To keep the Council from voting on its own compensation, the resolution (R2024-3439) regarding compensation policies needs to allow someone else to have the power to set food compensation policies. This power can legally and ethically be handed to the City Manager. Any subsequent policy change will be made in that position's discretion alone.

- B. There isn't a legislative fix for this particular issue this session. The League of Oregon Cities thinks that the next short session will have one. The only somewhat similar and helpful legislation currently is SB 983, but it only addresses solving the ethical dilemma involved in a budget committee discussing and voting on a budget that includes the compensation of the public official's (or relatives of the public officials) on the budget committee. The City will still need to have a food compensation policy if the City wants to allow food to be received on the premises by those who work for or volunteer at the City--unless food is open to everyone (the public).

IV. Analysis

- A. **Strategic Impact** - NA
- B. **Financial** - Nominal.
- C. **Timing** - No particular timing issues.
- D. **Policy/Legal** - If the City wants to provide on-premises food to employees or volunteers from time to time for meetings, team building, interview panels, or even coffee for coffee breaks, it now needs to have a food compensation policy in place.

V. Alternatives

- A. Adopt the resolution as presented, giving the authority to have a food compensation policy to the City Manager alone.
- B. Ask for more information to revisit the ideas at a later date.
- C. Take no action and leave things as they are.

VI. Recommendation

Staff recommends adopting the resolution as presented.

Attachments

1. ATT_CC_Commission Advisory Opinion_6 16 2025
2. RES_CC_Revised Determination Regarding Personnel Policies_6 16 2025

"Agenda Management Services are being supported, in whole or in part, by federal award number 21.019 awarded to City of Keizer by the U.S. Department of the Treasury."



Oregon

Tina Kotek, Governor

Government Ethics Commission

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May 9, 2025

Sent via email

Jayme Pierce, General Counsel
League of Oregon Cities
1201 Court St. NE, Ste. 200
Salem, Oregon 97302-4194

Dear Jayme Pierce:

At its May 9, 2025 meeting, the Oregon Government Ethics Commission (Commission) adopted the following advisory opinion in response to your request to the Commission, dated January 16, 2025. The Commission extended the period for this advisory opinion by an additional 60 days, as authorized by ORS 244.280(2).

OREGON GOVERNMENT ETHICS COMMISSION ADVISORY OPINION NO. 25-126A

SYNOPSIS OF FACTS AS PRESENTED TO THE COMMISSION:

On September 2, 2024, the Commission, through its Executive Director, issued a letter of advice to Lacy Beaty, Mayor of Beaverton (Advice No. 24-406I). This letter of advice addressed how the Oregon Government Ethics Laws in ORS Chapter 244 applied to a “team at a team-building event” where individual public officials, and their relatives or household members, consumed food and beverages provided by the city, and the alcoholic beverages provided by the Mayor personally.

Following issuance of Advice No. 24-406I, you submitted a request for a Commission Advisory Opinion, on behalf of the League of Oregon Cities, addressing a number of hypothetical situations involving city staff and the provision of food and beverages. In your request, you note that city officials and employees may attend various city-sponsored meetings and events where food and beverages are provided. Examples of such meetings and events could include:

- City staff attend a lunch hour staff meeting and the city provides attendees with lunch.
- City staff are celebrating an employee’s personal milestone, such as a baby shower that occurs during working hours. City funds are utilized to provide light snacks and refreshments for those in attendance.

- The city hosts a holiday party to celebrate city staff and volunteers. Food and beverages are provided by the city for those in attendance.
- A department hosts a teambuilding event for department staff. Food and beverages are provided by the city for those in attendance.

QUESTIONS:

Your request for a Commission Advisory Opinion seeks to clarify how the Commission would apply the provisions in and ORS 244.040 and ORS 244.025 to a public official's receipt of food and beverages, under the following circumstances:

- (1) If a city staff member attends any of the above situations and consumes the food and beverages provided by the city, do they violate ORS 244.040 or any other provisions of ORS Chapter 244?
- (2) If the city's personnel manual contains the following as part of staff compensation, does ORS 244.040(2)(a) and related OAR 199-005-0005(3) apply?

"Food, beverage, and other related items provided by the city to employees including any of their relatives or household members who are accompanying them during work-related events such as, but not limited to meetings, team building activities, and conferences, are provided as part of the employee's official compensation package."

- (3) If an individual or multiple staff members provide the food and beverages at any of the above-described situations (i.e., potluck), and no city funds are utilized to purchase said food and beverage, if a city staff member consumes the food and beverages provided by other staff, do they violate ORS 244.025, or any other provisions of ORS Chapter 244?
- (4) The city wants to provide a meal for their elected officials for a gathering prior to a public meeting, for purposes not related to city business, but rather team building. Does an elected official who consumes the food or beverages provided by the city violate ORS 244.040, or any other provisions of ORS Chapter 244?
- (5) If individual city elected officials provide the food and beverage (i.e., potluck) during a gathering prior to a public meeting for purposes not related to city business but rather team building, does an elected official who consumes the food or beverages provided violate ORS 244.025, or any other provisions of ORS Chapter 244?

ANALYSIS:

We first clarify that the Commission cannot provide guidance or opine on how a city chooses to allocate its resources, whether a city may lawfully provide food and beverages to its officials and employees in the scenarios described above, or whether any provision of such food and beverage is taxable. Rather, the Commission's guidance in this Opinion is limited to how the laws in ORS Chapter 244 would apply to a public official's acceptance of food and beverages in the circumstances described.

There are three separate laws that relate to whether a public official may accept food and beverage. The first is the use of office provisions set forth in ORS 244.040. The second and third relate are the gift laws and include ORS 244.020(7), defining "gift," and ORS 244.025, which establishes the gift limits. However, because ORS 244.040 incorporates the gift laws and its exceptions, your questions can be fully answered by analyzing ORS 244.040. See ORS 244.040(2)(e)-(g).

Use of Office Prohibitions

ORS 244.040(1) provides that a public official may not use or attempt to use their office or position to obtain a financial gain or avoid a financial detriment, for themselves or for their relatives, household members, or any businesses with which they are associated, if that financial gain or avoidance of detriment would not otherwise be available but for the fact they hold their office or position. Importantly, the statute prohibits a public official from either using or attempting to use their office for personal gain. In other words, an attempt is sufficient to violate the statute.

When a public body offers its elected officials and employees something of value, the financial gain or avoidance of detriment is being made available to the officials and employees because they hold their positions as public officials with that public body. Under ORS 244.040, the default is that any acceptance of free food or beverage by virtue of one's position as a public official is a violation of ORS 244.040(1). However, ORS 244.040(2)(a) through (h) provides several exceptions to the general prohibition in ORS 244.040(1). The relevant exceptions in ORS 244.040(2) applicable to food and beverage consumed by a public official are subsections (a), (e), (f), and (g). These subsections establish that the use of office prohibitions do not apply to:

(a) Any part of an official compensation package as determined by the public body that the public official serves.

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(e) Gifts that do not exceed the limits specified in ORS 244.025 received by a public official or a relative or member of the

household of the public official from a source that could reasonably be known to have a legislative or administrative interest.

(f) Gifts received by a public official or a relative or member of the household of the public official from a source that could not reasonably be known to have a legislative or administrative interest.

(g) The receipt by a public official or a relative or member of the household of the public official of any item, regardless of value, that is expressly excluded from the definition of “gift” in ORS 244.020.

Therefore, we analyze the relevant provisions in ORS 244.040(2) to determine if a public official may accept food and beverage.

A. Official Compensation – ORS 244.040(2)(a)

ORS 244.040(2)(a) allows a public official to accept “[a]ny part of an official compensation package as determined by the public body that the public official serves.” The Commission adopted a definition of “official compensation package” in OAR 199-008-0005(3), which provides:

The term “official compensation package” means the wages and other benefits provided to the public official. To be part of the public official’s “official compensation package”, the wages and benefits must have been specifically approved by the public body in a formal manner, such as through a union contract, an employment contract, or other adopted personnel policies that apply generally to employees or other public officials. “Official compensation package” also includes the direct payment of a public official’s expenses by the public body, in accordance with the public body’s policies.

This administrative rule is consistent with Oregon’s employment laws and tax laws. See, e.g., ORS 652.210(1)(a)(“ ‘Compensation’ includes wages, salary, bonuses, benefits, fringe benefits and equity-based compensation.”); ORS 652.210(14)(“ ‘Wages’ means all compensation for performance of service by an employee for an employer, whether paid by the employer or another person, or paid in cash or any medium other than cash.”); ORS 653.010(10) (“ ‘Wages’ means compensation due to an employee by reason of employment, payable in legal tender of the United States or check on banks convertible into cash on demand at full face value, subject to such deductions, charges or allowances as are permitted in ORS 653.035.”); ORS 653.010(11)(“ ‘Work time’ includes both time worked and time of authorized attendance.”); ORS 657.105 (1) (“* * * ‘wages’ means all remuneration for employment, including the cash value, as determined by the Director of the Employment Department under the regulations of the director, of all remuneration paid

in any medium other than cash.”); ORS 653.035 (1) (“Employers may deduct from the minimum wage to be paid employees under ORS 653.025, 653.030 or 653.261, the fair market value of lodging, meals or other facilities or services furnished by the employer for the private benefit of the employee.”); IRC § section 3401(c) (an officer, employee, or elected official of government is an employee for income tax withholding purposes.)

As set forth in rule, “official compensation package” includes the “direct payment of a public official's expenses by the public body, in accordance with the public body's policies.” When a public body is paying for a meal for its officials or employees, the public body, acting as an employer, is paying the direct meal or beverage expenses for its officials or employees. Therefore, for the public official to be allowed to accept the food and beverage, the public body must have formally adopted a union contract, employment contract, policy, or other compensation authorization provision that authorizes the public official to accept the food and beverage provided by the public body.

Both ORS 244.040(2)(a) and OAR 199-008-0005(3) require the compensation to be determined by the “public body” that the public official serves. Requiring that a public official accept food and beverage only as provided by a policy or contract formally adopted by a public body is wholly consistent with the requirements of ORS Chapter 244 and the public trust ORS Chapter 244 is intended to protect. The broad policy of the ethics laws is to ensure that government employees do not gain personal financial advantage through their access to the assets and other attributes of government. See *Davidson v. Oregon Gov't Ethics Comm'n*, 300 Or 415, 422 (1985). We find no countervailing policy in ORS Chapter 244 that argues against a requirement that a public official accept food and beverage from its public body *only* when such compensation has been formally adopted by the public body. The concept of public trust extends to all matters within the duties of public office.

Therefore, if the public body adopted an ordinance, resolution, collective bargaining agreement, human resource policy, or applicable contract provision (Policies), authorizing the provision of food and beverage to its employees and elected officials, the employee or elected official is authorized to accept the food and beverage consistent with the Policies the public body adopted. The public official will need to review the applicable Policies authorizing their acceptance to determine if they can accept the food and beverage. If the public official accepts food and beverage that is not authorized by the Policies adopted by the public body, the public official violates ORS 244.040(1).

City elected officials would also need to be mindful of, and comply with, the conflicts of interest provisions in ORS 244.120(2) and ORS 244.020(1) and (13) when adopting any food and beverage policy that would or could apply to themselves as elected officials.

B. Gifts and Gift Exceptions – ORS 244.040(2)(e), (f), and (g); ORS 244.020(7); and ORS 244.025.

1. Gift Laws Inapplicable to Employer Provided Food and Beverage.

The gift laws and relevant gift exceptions in ORS 244.040(2)(e), (f), and (g), ORS 244.020(7), and ORS 244.025 are not applicable to the situation where a public official accepts food and beverage from their own public body. An analysis of Oregon Government Ethics law governing gifts and the relevant gift exceptions applies only when someone other than the public official's own public body provides the food and beverage. This is because, under ORS 244.020(7)(a), something qualifies as a "gift" if the thing provided is either "[w]ithout valuable consideration of equivalent value" or for "valuable consideration less than that required from others who are not public officials." ORS 244.020(7); See also, Honorable Fred W. Heard Honorable Grattan Kerans, 40 Or. Op. Atty. Gen. 371, p. 5-6 (1980) (whether something is a gift "requires that a determination be made whether the official provided something of substantially equivalent economic value in exchange, or whether the item received was available to non-public officials on the same terms.").

When a public body provides food and beverage to an employee or elected official, it is doing so in exchange for the valuable consideration of public service that the employee or elected official provides to the public body itself, which value far exceeds the value of the food and beverage provided. Additionally, when food and beverage is provided by a public body only to its public officials, the food and beverage is not available to non-public officials at all and not on the same terms. Therefore, the food and beverage provided by a public body to its own public officials is not a "gift" that should be analyzed under the gift laws. Rather, it is "compensation" and analyzed under the official compensation provisions in ORS 244.040(2)(a), as outlined above.

2. Gift Laws Applicable to Food and Beverage.

ORS 244.040(2)(e), (f), and (g) govern when a public official may accept food and beverage from a person, business, or other entity that are not the public body that the public official serves. ORS 244.040(2)(e), (f), and (g) cross-reference the gift provisions in ORS 244.020(7) and ORS 244.025. Therefore, we analyze those relevant provisions using the four-step process set forth below.

Step 1 – Is the Food and Beverage Provided a "Gift?"

The first step in the analysis of whether a public official may accept food and beverage from a person, business, or other entity (Source) is to determine whether the food and beverage being offered qualifies as a "gift" for purposes of ORS Chapter 244. ORS 244.020(7)(a) defines a gift as:

“Gift” means something of economic value given to a public official, a candidate or a relative or member of the household of the public official or candidate:

(A) Without valuable consideration of equivalent value, including the full or partial forgiveness of indebtedness, which is not extended to others who are not public officials or candidates or the relatives or members of the household of public officials or candidates on the same terms and conditions; or

(B) For valuable consideration less than that required from others who are not public officials or candidates.

In other words, a “gift” is something of economic value given to a public official, or their relative or household member, without equivalent consideration or at a discount, and that is not offered to others who are not public officials on the same terms and conditions. Consequently, if the food and beverage being offered to the public official is being provided to non-public officials on the same terms and conditions, then the public official may accept the food and beverage, regardless of value. If it is not being offered to non-public officials on the same terms and conditions, then the food and beverage is a “gift” for purposes of ORS Chapter 244 and the public official must proceed to the next step of the analysis.

Step 2 – Is Food and Beverage Provided from a Source that has Given the Public Official \$50 or Less in Value in a Calendar Year?

If the food and beverage being offered is a “gift,” then the next step in the analysis is to determine whether it is a gift that the public official can accept. ORS 244.040(2)(e) authorizes a public official to accept the food and beverage if the gift “do[es] not exceed the limits specified in ORS 244.025 received by a public official or a relative or member of the household of the public official from a source that could reasonably be known to have a legislative or administrative interest.” ORS 244.025(1) provides that a public official, and their relatives or household members, may not solicit or receive any gift or gifts with an aggregate value in excess of \$50 in a calendar year from a Source that could reasonably be known to have a legislative or administrative interest in the public official’s decisions or votes. To determine the value, the public official must consult OAR 199-005-0005.

Therefore, the second step in the analysis requires the public official to determine the value of the food and beverage being provided, as well as the value of any other gifts that the public official received from that Source during the calendar year, using the method prescribed by OAR 199-005-0005. If the cumulative value of the food and beverage and all other gifts received from that Source during the calendar year is \$50 or less, the public official may accept the food and beverage from that Source. If, however, the cumulative value of the food and beverage and all other gifts received from that Source in a calendar

year exceeds \$50, then it is necessary for the public official to proceed to the third step in the analysis.

Step 3 – Is the Food and Beverage from a Source Reasonably known to have a Legislative or Administrative Interest in the Public Official’s Decision or Votes?

ORS 244.040(2)(e) prohibits a public official from accepting a gift if the cumulative value of all gifts from that Source exceeds \$50 in a calendar year *and* the source could reasonably be known to have a legislative or administrative interest. Likewise, ORS 244.040(2)(f) authorizes a public official to receive gifts “from a source that *could not* reasonably be known to have a legislative or administrative interest.” (emphasis added). Therefore, these two provisions together outline the third step of the analysis, which requires the public official to determine whether the source of the gift has a legislative or administrative interest.

The term “legislative or administrative interest” means an economic interest, distinct from that of the general public, in any matter subject to the decision or vote of the public official, acting in their official capacity. See ORS 244.020(10)(a). OAR 199-005-0003 provides examples of what constitutes a legislative or administrative interest and further clarifies that the term does not include “recommendations” made by the public official. By way of example, an entity that contracts with the city would have a legislative or administrative interest in city officials who approve the contract or vote on the budget; a person who owns residential or commercial property in a city would have a legislative or administrative interest in a planning commissioner or city councilor who could make land-use decisions concerning that property; and a city employee would have a legislative or administrative interest in the city administrator or city councilors, as those public officials could make decisions (on matters such as salary, promotions, or leave) that would have an economic impact on the employee.

When it comes to gifts provided by one’s colleagues, a key factor is whether the person receiving the gift is in a position where they could make a decision that could financially impact those colleagues providing the gift. In most cases, city staff could accept gifts from their colleagues because city staff are not in positions where they could make decisions that could financially impact their colleagues. For the same reasons, city staff could accept gifts from their supervisors, managers, the city administrator, or the city councilors (i.e., their appointing authorities). The analysis is different, however, when it is the appointing authorities who are accepting gifts from their employees or subordinates, as those employees could have legislative or administrative interests in the decisions that those appointing authorities could make.

The final aspect of Step 3 is the standard that must be used by a public official to determine whether the person providing the food and beverage has a legislative or administrative

interest in the public official's decision or votes. If it "could not reasonably be known" by the public official that the person has a legislative or administrative interest in the public official's decision or votes, then ORS 244.040(2)(e) and (f) would authorize the public official to accept the food and beverage, regardless of its value. In other words, the analysis is factually dependent under a reasonableness standard. If the facts establish that the public official could have reasonably known that the person providing the food and beverage has a legislative or administrative interest in the public official's decisions or votes, the public official is prohibited from accepting the food and beverage. The only exception to this prohibition is if gift exception applies, as described in Step 4.

Step 4 – Does a Gift Exception Apply?

ORS 244.040(2)(g) authorizes a public official to receive any item, regardless of value, that is expressly excluded from the definition of "gift" in ORS 244.020. Therefore, the next step is for the public official to determine whether the food and beverage being provided falls within one of the gift exceptions in ORS 244.020. If it does, then the public official may accept the food and beverage, regardless of value.

ORS 244.020(7)(b) establishes a list of exceptions to the definition of gift. Many of the gift exceptions relate to food and beverage in specific circumstances. For purposes of this analysis, it appears the relevant gift exceptions are ORS 244.020(7)(b)(E), (I), and (L)

We examine each relevant exception separately.

(E) - Food and Beverage Consumed by a Public Official At a Reception, Meal or Meeting.

ORS 244.020(7)(b)(E) authorizes a public official to be provided food and beverage "at a reception, meal or meeting held by an organization when the public official represents state government as defined in ORS 174.111, a local government as defined in ORS 174.116 or a special government body as defined in ORS 174.117." Several administrative rules elucidate the meaning of this statute:

- First, OAR 199-005-0001(8) defines "reception" as "a social gathering." The rule goes on to explain that "[r]eceptions are often held for the purpose of extending a ceremonial or formal welcome and may include private or public meetings during which guests are honored or welcomed. Food and beverages are often provided, but not as a plated, sit-down meal."
- Second, OAR 199-005-0001(4) defines "Meeting" as "an event that includes multiple attendees who are members of an organization or members of the general public who have been invited to the event. The purpose or agenda for the meeting would be included in any advance notice of the event."

- Third, OAR 199-005-0001(6) defines “Organization” as “any public body, corporation, partnership, proprietorship, firm, enterprise, franchise, association, trust, or other entity other than an individual.”
- Fourth, OAR 199-005-0001(7) defines “representing government” as “a public official is representing a state or local government or a special government body when the public official attends an event on behalf of the government agency.” The rule then provides multiple examples of when a public official represents government, including a fire chief attending an event to honor protection services representatives who attends on behalf of the station in an official capacity and a department manager in their official capacity attending a conference sponsored by a vendor that sold products to the agency in the past.
- Fifth, OAR 199-005-0015, establishes a list of factors for consideration in determining compliance with ORS 244.020(7)(b)(E). Those factors include: “(1) A large number of people or groups are invited. For example, all members of an organization are invited. (2) The invitations or programs are sent in advance. (3) The event is publicized. (4) The reception, meal, or meeting is open to the public. [and] (5) Written materials such as a printed program are available.”
- Sixth, OAR 199-005-0015 specifically provides that “private meals where the participants engage in discussion” is not authorized.

Together, these statutes and rules authorize a public official to consume food and beverage if the public official is representing their government agency in an official capacity and they attend a reception, meal or meeting held by an organization that is not their employing government agency. However, private meals where the participants engage in discussion is prohibited. For example, a city councilor or city employee would be authorized to consume food and beverages when attending the local chamber of commerce breakfast. However, they would be prohibited from consuming food and beverage with a vendor at a private lunch meeting between only them and the vendor.

Importantly, and as detailed above, this analysis *does not* apply to the public body’s own public meetings or to the public body providing food and beverage to their own public officials. A public body’s provision of food and beverage to their own public officials is a form of “compensation,” not a gift, and must be analyzed under the official compensation provisions set forth in ORS 244.020(2)(a) as described in Section A above.

(I) - Food or beverage consumed by a public official acting in an official capacity involving certain financial transactions.

ORS 244.020(7)(b)(I) authorizes a public official acting in an official capacity to consume food and beverage while involved with certain financial transactions. Specifically, the consumption of food and beverage is not considered a gift if it is provided:

- (i) In association with the review, approval, execution of documents or closing of a borrowing, investment or other financial transaction, including any business agreement between state government as defined in ORS 174.111, a local government as defined in ORS 174.116 or a special government body as defined in ORS 174.117 and a private entity or public body as defined in ORS 174.109;
- (ii) While engaged in due diligence research or presentations by the office of the State Treasurer related to an existing or proposed investment or borrowing; or
- (iii) While engaged in a meeting of an advisory, governance or policy-making body of a corporation, partnership or other entity in which the office of the State Treasurer has invested moneys.

A determination of whether this exception applies would be dependent on the factual circumstance. If the factual circumstances establish compliance with this section, the public official may consume the food and beverage provided. Given the limited nature of this provision, it will not be applicable to many public officials.

Like the other gift exceptions, this exception does not apply to the public body's own public meetings or to the public body providing food and beverage to their own public officials. A public body's provision of food and beverage to their own public officials is a form of "compensation," not a gift, and must be analyzed under the official compensation provisions set forth in ORS 244.020(2)(a) as described in Section A above.

(L) - Food and beverage consumed at a reception and that is provided as an incidental part of the reception and no cost is placed on the food and beverage.

ORS 244.020(7)(b)(L) authorizes a public official to consume food and beverage "at a reception where the food or beverage is provided as an incidental part of the reception and no cost is placed on the food or beverage." As noted previously, OAR 199-005-0001(8) defines reception as "a social gathering" and provides that "[r]eceptions are often held for the purpose of extending a ceremonial or formal welcome and may include private or public meetings during which guests are honored or welcomed. Food and beverages are often provided, but not as a plated, sit-down meal." This exception is further clarified by OAR 199-005-0005(5), which establishes that food and beverage provided under this exception is permitted without regard to the fair market value of the food and beverage.

Under this exception, if the public official is attending a social gathering and the food and beverage does not include a sit-down meal, then the public official may accept the food and beverage. We note there is some overlap between ORS 244.020(7)(b)(E) and (L).

However, only ORS 244.020(7)(b)(E), outlined above, could allow the public official to consume the food and beverage if the event is a sit down meal or a meeting.

Like the exception in ORS 244.020(7)(b)(E), this exception does not apply to the public body's own public meetings or to the public body providing food and beverage to their own public officials. A public body's provision of food and beverage to their own public officials is a form of "compensation," not a gift, and must be analyzed under the official compensation provisions set forth in ORS 244.020(2)(a) as described in Section A above.

ANSWERS

In light of the above analysis, the answers to your specific questions are as follows:

Questions (1) and (2)

Question (1) asks whether city staff members accepting food and beverages provided by the city would violate ORS 244.040 or any other provision of ORS 244. Question (2) then asks whether the exception in ORS 244.040(2)(a) and OAR 199-008-0005(3) would apply if the city's personnel manual included the following policy statement:

"Food, beverage, and other related items provided by the city to employees including any of their relatives or household members who are accompanying them during work-related events such as, but not limited to meetings, team building activities, and conferences, are provided as part of the employee's official compensation package."

Assuming the policy was formally adopted by the public body as outlined above, city staff members may accept food and beverages paid for or provided by the city, consistent with the specifications of the policy. Such acceptance is authorized under ORS 244.040(2)(a). As for whether such actions may violate any other provisions in ORS Chapter 244, the facts you present do not allow us to analyze *all* of ORS Chapter 244. However, we note that it is certainly possible for factual circumstances involving the provision of food and beverage to implicate other violations. For instance, if the person in charge of purchasing the food for the city purchases the food from their relative's restaurant, such action may violate the use of office provisions in ORS 244.040 and the conflict of interest provisions in ORS 244.020. Likewise, if the compensation of the meal is taxable and a city human resources or finance employee in charge of ensuring the city complies with tax laws fails to report their own receipt of a meal, this action may violate ORS 244.040 as using their position to avoid a taxable gain. The determination of whether ORS 244 is violated is dependent on the particular factual circumstances involved.

Question (4)

Question (4) asks whether city elected officials may consume a meal at a gathering provided by the city prior to a public meeting. You indicate that the purpose of the gathering is not for conducting city business but rather for team building. You ask whether an elected official who accepts the city provided food and beverages at such an event would violate ORS 244.040 or any other provisions of ORS Chapter 244.

This analysis would also fall under ORS 244.040(1) and (2)(a). If the meal is authorized as part of the elected officials' official compensation packages, then the exception in ORS 244.040(2)(a) would apply and the elected officials could accept the city paid or provided meals. If the city has not adopted an official compensation package that includes meals for their elected officials, then accepting food and beverage violates ORS 244.040(1). If the city has not adopted an official compensation package that includes meals for their elected officials, but is thinking of doing so, city elected officials need to be mindful of, and comply with, the conflicts of interest provisions in ORS 244.120(2) and ORS 244.020(1) and (13) when adopting the official compensation policy.

Questions (3) and (5)

These two questions ask about city staff members and elected officials accepting food and beverages provided not by the city but by other city staff or officials, such as at a potluck. You ask whether the city staff members or the elected officials would violate ORS 244.025 or any other provisions in ORS Chapter 244 by accepting the food and beverages at such a potluck.

When the food and beverages are being provided by persons or entities other than an employing public body, the analysis falls under ORS 244.040(2)(e), (f), and (g). As explained above, each city staff and official attending the potluck would need to determine: (1) whether the food and beverage qualifies as a gift; (2) the value of the gift and the cumulative value of all other gifts received in the calendar year by the Source providing the food and beverage; (3) whether the Source providing the food and beverage could be reasonably known to have legislative or administrative interest in the city employee's or city official's decisions or votes; and (4) whether any of the gift exceptions apply.

As also noted above, for the majority of city employees, mere participation in a city potluck would not result in a violation of the statutes discussed above because the employees attending do not have a legislative or administrative interest in their fellow employees' decisions or votes. However, that is not the case for elected officials, supervisors, and managers who receive food and beverage from their subordinate public officials. Elected officials, supervisors, and managers will need to proceed through the steps above to determine if they can accept the food and beverage items provided at the potluck from their subordinates. That said, in the majority of circumstances an elected official, supervisor, or

manager participating in a potluck likely falls within the gift exception in ORS 244.020(7)(b)(L).

THIS OPINION IS ISSUED BY THE OREGON GOVERNMENT ETHICS COMMISSION PURSUANT TO ORS 244.280. A PERSON SHALL NOT BE LIABLE UNDER ORS CHAPTER 244 FOR ANY GOOD FAITH ACTION OR TRANSACTION CARRIED OUT IN ACCORDANCE WITH THIS OPINION. THIS OPINION IS LIMITED TO THE FACTS SET FORTH HEREIN.

Issued by Order of the Oregon Government Ethics Commission at Salem, Oregon on the 9th day of May, 2025.

David M. Fiskum

David Fiskum, Chairperson

Sean Brady

Sean T. Brady, Senior Assistant Attorney General

RELEVANT STATUTES AND ADMINISTRATIVE RULES: The following Oregon Revised Statutes (ORS) and Oregon Administrative Rules (OAR) are applicable to the issues that are addressed in this opinion:

ORS 244.020(7)(a): “Gift” means something of economic value given to a public official, a candidate or a relative or member of the household of the public official or candidate:

(A) Without valuable consideration of equivalent value, including the full or partial forgiveness of indebtedness, which is not extended to others who are not public officials or candidates or the relatives or members of the household of public officials or candidates on the same terms and conditions; or

(B) For valuable consideration less than that required from others who are not public officials or candidates.

* * * * *

ORS 244.020(7)(b): “Gift” does not mean:

* * * * *

(E) Admission provided to or the cost of food or beverage consumed by a public official, a relative of the public official accompanying the public official, a member of the household of the public official accompanying the public official or a staff member of the public official accompanying the public official, at a reception, meal or meeting held by an organization when the public official represents state government as defined in ORS 174.111, a local government as defined in ORS 174.116 or a special government body as defined in ORS 174.117.

(I) Food or beverage consumed by a public official acting in an official capacity:

(i) In association with the review, approval, execution of documents or closing of a borrowing, investment or other financial transaction, including any business agreement between state government as defined in ORS 174.111, a local government as defined in ORS 174.116 or a special government body as defined in ORS 174.117 and a private entity or public body as defined in ORS 174.109;

(ii) While engaged in due diligence research or presentations by the office of the State Treasurer related to an existing or proposed investment or borrowing; or

(iii) While engaged in a meeting of an advisory, governance or policy-making body of a corporation, partnership or other entity in which the office of the State Treasurer has invested moneys.

(L) Food or beverage consumed by a public official or candidate at a reception where the food or beverage is provided as an incidental part of the reception and no cost is placed on the food or beverage.

ORS 244.020(10): “Legislative or administrative interest” means an economic interest, distinct from that of the general public, in:

(a) Any matter subject to the decision or vote of the public official acting in the public official's capacity as a public official; or

(b) Any matter that would be subject to the decision or vote of the candidate who, if elected, would be acting in the capacity of a public official.

* * * * *

ORS 244.020(11): "Member of the household" means any person who resides with the public official or candidate.

* * * * *

ORS 244.020(15): "Public official" means the First Partner and any person who, when an alleged violation of this chapter occurs, is serving the State of Oregon or any of its political subdivisions or any other public body as defined in ORS 174.109 as an elected official, appointed official, employee or agent, irrespective of whether the person is compensated for the services.

* * * * *

ORS 244.020(16): "Relative" means:

(a) The spouse, parent, stepparent, child, sibling, stepsibling, son-in-law or daughter-in-law of the public official or candidate;

(b) The parent, stepparent, child, sibling, stepsibling, son-in-law or daughter-in-law of the spouse of the public official or candidate;

(c) Any individual for whom the public official or candidate has a legal support obligation;

(d) Any individual for whom the public official provides benefits arising from the public official's public employment or from whom the public official receives benefits arising from that individual's employment; or

(e) Any individual from whom the candidate receives benefits arising from that individual's employment.

* * * * *

ORS 244.025(1) Gift Limit: During a calendar year, a public official, a candidate or a relative or member of the household of the public official or candidate may not solicit or receive, directly or indirectly, any gift or gifts with an aggregate value in excess of \$50 from any single source that could reasonably be known to have a legislative or administrative interest.

ORS 244.040 Prohibited use of official position or office; exceptions; other prohibited actions:

(1) Except as provided in subsection (2) of this section, a public official may not use or attempt to use official position or office to obtain financial gain or avoidance of financial

detriment for the public official, a relative or member of the household of the public official, or any business with which the public official or a relative or member of the household of the public official is associated, if the financial gain or avoidance of financial detriment would not otherwise be available but for the public official's holding of the official position or office.

- (2) Subsection (1) of this section does not apply to:
- (a) Any part of an official compensation package as determined by the public body that the public official serves.
* * * * *
 - (e) Gifts that do not exceed the limits specified in ORS 244.025 received by a public official or a relative or member of the household of the public official from a source that could reasonably be known to have a legislative or administrative interest.
 - (f) Gifts received by a public official or a relative or member of the household of the public official from a source that could not reasonably be known to have a legislative or administrative interest.
 - (g) The receipt by a public official or a relative or member of the household of the public official of any item, regardless of value, that is expressly excluded from the definition of "gift" in ORS 244.020.

* * * * *

OAR 199-005-0001 Definitions. The following definitions are provided for works or terms as they are used in ORS Chapter 244, especially in the exceptions to the definition of a gift in ORS 244.020(7)(b):

* * * * *

(4) A "Meeting" is an event that includes multiple attendees who are members of an organization or members of the general public who have been invited to the event. The purpose or agenda for the meeting would be included in any advance notice of the event.

(5) "Official capacity" means that the public official attends an activity while engaged in duties or responsibilities that are customary to their office or position.

(6) "Organization" means any public body, corporation, partnership, proprietorship, firm, enterprise, franchise, association, trust, or other entity other than an individual.

(7) "Representing Government" means that a public official is representing a state or local government or a special government body when the public official attends an event on behalf of the government agency. The following examples are offered to illustrate the meaning of "representing government," but are not meant to be the only circumstances that would define representing government:

(a) A fire chief attends an event to honor protection services representatives and attends on behalf of the station in an official capacity.

(b) A department manager attends a conference being sponsored by a vendor that has in the past sold products to the agency in which the manager is employed. The

manager's official duties include the responsibility of attending conferences on behalf of the governing body.

(c) An executive director for a state agency attends ceremonial events; the director's official duties include representing the agency at such events.

(d) A state employee who works in the IT department whose responsibilities include reviewing and recommending software attends a workshop on software applications held by a professional membership organization.

(e) A planning commissioner speaks to a non-profit organization on behalf of the county planning department.

(f) A volunteer for a city park department attends an event representing the department at a meeting to discuss issues surrounding volunteerism.

(g) A legislator attends an event being sponsored by a Native American tribe on behalf of a legislative committee on which the legislator serves.

(h) A city councilor attends the local chamber of commerce breakfast.

(8) "Reception" means a social gathering. Receptions are often held for the purpose of extending a ceremonial or formal welcome and may include private or public meetings during which guests are honored or welcomed. Food and beverages are often provided, but not as a plated, sit-down meal.

OAR 199-008-0005(3) Definitions of terms in ORS Chapter 244:

(1) The purpose of this rule is to define certain terms and to clarify substantive provisions of ORS Chapter 244.

* * * * *

(3) The term "official compensation package" means the wages and other benefits provided to the public official. To be part of the public official's "official compensation package", the wages and benefits must have been specifically approved by the public body in a formal manner, such as through a union contract, an employment contract, or other adopted personnel policies that apply generally to employees or other public officials. "Official compensation package" also includes the direct payment of a public official's expenses by the public body, in accordance with the public body's policies.

CITY COUNCIL, CITY OF KEIZER, STATE OF OREGON

Resolution R2025-_____

COUNCIL DETERMINATION REGARDING
ADOPTION OF PERSONNEL POLICIES;
REPEAL OF RESOLUTION R2024-3439

WHEREAS, by Resolution R2024-3439, Council determined that except as noted below, it is appropriate for the City Manager to adopt the personnel policy manual in consultation with the Human Resources Director and legal counsel;

WHEREAS, Council has determined that Council should adopt only portions of the personnel policy manual that either directly impacts the Council and that Council is required or suggested to adopt pursuant to agreement, law or regulation;

WHEREAS, Council has adopted the relevant portions of the policy by Resolution R2025-3549;

WHEREAS, Council has determined that Resolution R2024-3439 should be repealed and a new Resolution should be adopted that includes non-gift food/drinks;

NOW, THEREFORE,

BE IT RESOLVED by the City Council of the City of Keizer that in the future, Council shall adopt or amend the provisions of the personnel policy manual that relate to the following:

- a. Travel;
- b. Equal Employment Opportunity;
- c. Classification Review and Reclassification;

1 d. Volunteers;

2 e. Other Policies. Other policies or portions of policies applicable to Council
3 Members shall be approved by Council. These include, but are not limited to
4 electronic mail, social media, and building access policies.

5 BE IT FURTHER RESOLVED by the City Council of the City of Keizer that in
6 the future, the following policies shall be adopted by either the City Council or City
7 Manager as determined below:

8 a. Compensation. Council approval is required for portions concerning
9 change in the level of benefits. Language concerning individual access to
10 accruals, usage, etc. shall be adopted by the City Manager;

11 b. City Faxes, Copiers and Other Office Equipment. Policies applicable to
12 the individual Council Members and the fee schedule shall be approved by
13 Council. All other provisions shall be adopted by the City Manager;

14 c. Holiday, Vacation, Other Paid Leave Benefits. Council approval is
15 required for portions concerning the change in the level of benefits.
16 Language concerning individual access to accruals, usage, etc. shall be
17 adopted by the City Manager;

18 d. Sick Leave Eligibility and Accrual. Council approval is required for
19 portions concerning change in the level of benefits. Language concerning
20 individual access to accruals, usage, etc. shall be adopted by the City
21 Manager;

1 e. Health Insurance Benefits. Council approval is required for portions
2 concerning change in the level of benefits. Language concerning individual
3 access to accruals, usage, etc. shall be adopted by the City Manager;

4 f. Retirement. Council approval is required for portions concerning change
5 in the level of benefits. Language concerning individual access to accruals,
6 usage, etc. shall be adopted by the City Manager.

7 g. Non-Gift Food/Drinks. The City Manager shall adopt policies for non-gift
8 food/drinks on City premises that are for the benefit of the City.

9 BE IT FURTHER RESOLVED by the City Council of the City of Keizer that all
10 other personnel policies not referenced above shall be adopted by the City Manager and
11 shall not require City Council approval.

12 BE IT FURTHER RESOLVED THAT Resolution R2024-3439 shall be repealed
13 in its entirety.

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

16 PASSED this _____ day of _____, 2025.

17
18 SIGNED this _____ day of _____, 2025.

19
20
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24
25

Mayor

City Recorder



MINUTES KEIZER CITY COUNCIL

**Monday, June 9, 2025
Robert L. Simon Council Chambers
930 Chemawa Road NE
Keizer, Oregon**

CALL TO ORDER

Council President Starr called the meeting to order at 6:08 p.m.

ROLL CALL

Roll call was taken as follows:

Present:

Shaney Starr, Council President
Kyle Juran, Councilor
Daniel Kohler, Councilor
Marlene Parsons, Councilor
Jane Titchenal, Chair (CDEC)
Robin Barney (CDEC)
Sara Ngo, Vice Chair (CDEC)
Elaine Wilson (CDEC)
Faustos Ramos (CDEC)
Open Position - Youth Liaison
(CDEC)
Lore Christopher, Councilor

Absent:

Guillermo Rodriguez (CDEC)
Larry Porter (CDEC)
Soraida Cross, Council Vice President
(CDEC)
Cathy Clark, Mayor

Staff:

Adam Brown, City Manager
Tim Wood, Assistant City Manager
Joseph Lindsay, City Attorney
Melissa Bisset, City Recorder

DISCUSSION

a. Implementation of Action Plans Identified in Resolution R2025-3558

Assistant City Manager Tim Wood summarized the staff report. Community Diversity Engagement Committee (CDEC) Chair Jane Titchenal reviewed the recent work of the committee.

The CDEC prioritized Appendix A items for this year as follows:

- 4.a. - Collaboration with Council, other city committees, commissions and neighborhood associations
- 4.c. - Collaboration in community conversations, celebrations and relationship building
- 4.e. - Metrics and annual reporting
- 4.f. - Leadership development in underrepresented and underserved communities
- 5. - Develop promotional content specific to outreach and engagement

The CDEC was hoping to be aligned with the Council goals for the committee and to provide value. There was a question whether there had been data collected in the past related to 4.e. Data was collected in 2022 and Assistant City Manager Wood would share it with the CDEC at their next meeting.

There was a suggestion for the committee to meet in other locations. City Attorney Joseph Lindsay noted that the location needs to be Americans with Disabilities Act (ADA) accessible. There was a request about the Committee making a list of where and when the outreach could take place and providing the list to the City to make sure that it meets the necessary requirements. There was discussion about requirements and logistics related to the Committee meeting offsite. Mr. Lindsay explained Public Meetings Law requirements.

There was discussion about collecting data and surveys. City Manager Adam Brown suggested that the Council and the CDEC work together on determining what would be on the survey. Mr. Lindsay noted that the survey results are public records.

Mr. Brown shared that the City had funding in the following year's budget for a survey and that it included customization.

Councilor Christopher arrived to the meeting at 6:50 p.m.

There was a suggestion to keep things simple to start out in order to show progress.

The CDEC was interested in having two Town Halls per year. There were a few events where the CDEC were interested in having a table where they would start talking to the community.

There was a suggestion to attend the current events already scheduled.

Discussion ensued regarding planning an event and outreach.

There was a suggestion to create a postcard to hand out related to the recruitment of City volunteers.

There was a hope for the committee to help with outreach to increase the attendance to City meetings for involvement.

An action plan related to Youth Engagement would be discussed at a CDEC meeting this summer.

The CDEC would be working on a calendar at an upcoming meeting.

The CDEC would schedule a member to come report at the City Council Meetings.

ADJOURNMENT

Meeting adjourned: 7:26 p.m.

MAYOR:

APPROVED:

Cathy Clark

Dawn Wilson, Deputy City Recorder

Minutes approved: _____

“Agenda Management Services are being supported, in whole or in part, by federal award number 21.019 awarded to City of Keizer by the U.S. Department of the Treasury.”



MINUTES KEIZER CITY COUNCIL

**Monday, June 16, 2025
Robert L. Simon Council Chambers
930 Chemawa Road NE
Keizer, Oregon**

CALL TO ORDER

Mayor Clark called the meeting to order at 6:01 p.m.

ROLL CALL

Roll call was taken as follows:

Present:

Cathy Clark, Mayor
Shaney Starr, Council President
Soraida Cross, Council Vice
President
Kyle Juran, Councilor
Daniel Kohler, Councilor
Marlene Parsons, Councilor
Lore Christopher, Councilor

Staff:

Adam Brown, City Manager
Tim Wood, Assistant City Manager
Shane Witham, Planning Director
Joseph Lindsay, City Attorney
Andrew Copeland, Police Chief
Garrett Klever, Human Resources
Director
Melissa Bisset, City Recorder

FLAG SALUTE

Mayor Clark led the pledge of allegiance.

SPECIAL ORDERS OF BUSINESS

a. PROCLAMATION - Juneteenth

Julie Ray Joy, Community Advocate and Founder of Black Joy Oregon, shared the meaning of Juneteenth and her feelings about political alignment.

Mayor Clark read the Proclamation recognizing June 19th as Juneteenth.

COMMITTEE REPORTS

Jessica Blakely, Salem Housing Authority, shared that they also serve the City of Keizer. She explained that they are disposing of some of their housing units in Keizer and if approved by Department of Housing and Urban Development (HUD), would be selling many homes to Habitat for Humanity, and then they will make them affordable housing. She explained the various proposed affordable housing programs and that there would be a public hearing in July on the

matter.

Bob Shackelford, member of the Parks and Recreation Advisory Board, shared highlights from the recent meeting.

a. Volunteer Coordinating Committee Recommendation for an Appointment - Traffic Safety, Bikeways, and Pedestrian Committee Youth Liaison

City Recorder Melissa Bisset summarized the staff report.

Council President Starr moved the City Council accept the recommendation of the Volunteer Coordinating Committee and appoint Lazlo Montoya Mendoza to the Youth Liaison Position of the Traffic Safety, Bikeways, and Pedestrian Committee for school year term of 2025/2026. Councilor Kohler seconded. Motion passed unanimously as follows:

AYES: Clark, Cross, Kohler, Starr, Juran, Christopher, and Parsons (7)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: None (0)

PUBLIC COMMENTS

Mayor Clark acknowledged the written public comment for the record.

Liam Stitt, Keizer, Youth Liaison for Keizer Parks and Recreation Advisory Board, asked about painting of the Big Toy and if youth could participate. It was noted that they could.

Ruth Ann Fry, Keizer, commented on the lights at Keizer Rapids Park. She appreciated the recommendation of the Parks and Recreation Advisory Board.

Rhonda Rich, Keizer, President of West Keizer Neighborhood Association, shared the history of the lighting at Keizer Rapids Park Turf Field and related votes from the Parks and Recreation Advisory Board and neighborhood input on the matter.

Councilor Christopher expressed concern about the lateness of the lighting and events at Keizer Rapids Park.

Ellen Marsh, Keizer, liked that lights were off by 9:30 p.m. They were trying to work with the parks. She would like it to continue as is with the exception of Memorial Day to Labor Day.

Tammy Kunz, Keizer, Greater Northeast Keizer Neighborhood Association, expressed concern about the noise at Keizer Rapids Park.

CONSENT CALENDAR

Councilor President Starr moved that the Keizer City Council approve the Consent Calendar. Councilor Kohler seconded. Motion passed unanimously as follows:

AYES: Clark, Starr, Cross, Kohler, Juran, Christopher, and Parsons (7)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: None (0)

a. Event Center Fee Waiver Request - Latino Business Alliance - 2025 Expo Negocio

b. Approval of June 2, 2025 Regular Session Minutes

PUBLIC HEARINGS

a. Text Amendment Case 2025-06: Amending Keizer Code Appendix A - Development Code Section 2.110 - Commercial Mixed Use (related to auto-oriented uses)

Mayor Clark opened the Public Hearing.

Planning Director Shane Witham summarized the staff report. There was discussion about the process of the land being developed, conditional uses, and any potential Master Plan amendments. Mr. Witham explained the current prohibited uses and a history of the area. He noted that the amendment would be all of the commercial mixed-use zoned property in Area B.

There was discussion about the current sale options, and the distinctions between prohibited and conditional uses, and the potential impact. Traffic congestion was discussed and there was a question about managing traffic in the area, the previous traffic impact analysis, and traffic studies. It was noted that a traffic study would have to be done, and the analysis would be reviewed by the City's engineer.

Concern about the impact of traffic and noise in the area were expressed.

Written public comments were acknowledged for the record from the following persons:

- Nigel Hearne - opposed
- Jacque Moir - opposed
- Majorie Okawa-Sykes - opposed
- Kimberle O'Kelley - opposed
- Daniel M. Potter - opposed
- Debbie Schollmeyer - opposed
- Shawn Schollmeyer - opposed

Tasha Rash, Keizer, expressed her concern about the proposed amendments. She felt that it would bring an increase in vehicular activity in the area. She was concerned about a gas station in the area and commented on the impact on pedestrian activity. She felt that it could negatively impact property values, quality of life, and neighborhood safety and the environment. She was in favor of a drive-thru.

Britany Randall, BRAND Land Use, spoke in favor of the text amendments. She commented on Area B and commented on the complexity of the development. She felt that the vacant land in such a high-profile location represented a missed opportunity and that the underutilized areas could detract from the vitality of Keizer Station plan.

AJ Nash, Real Estate Advisor, commented about the anomaly of In-N-Out Burger. He commented on peak hours and traffic impact now and in the future.

Craig Gilmore, Keizer, Greater Gubser Neighborhood Association, commented on the changes in Keizer Station. He expressed concern about traffic. He stated that it goes against the Master Plan. He noted that there were 17 fast food restaurants in the area. He felt there would be an increase in the traffic if there were to be a gas station.

There was clarification by City Attorney Joseph Lindsay related to a potential quasi-judicial decision. During a quasi-judicial process, the Council would need to disclose that this information was already presented to the Council for the purposes of creating a record to show the deliberative process. Mayor Clark noted that this meeting would need to be referenced for anything related to this project.

Suzanne Byers, Keizer, stated that she lives right behind the area, and she was concerned about traffic, noise and light pollution. She spoke against the development and felt there should be a park.

Mr. Witham explained the history of Area B and the Zoning in the area.

Debbie Schollmeyer, Keizer, expressed her opposition.

There was discussion about Ballot Measure 24-314, at the March 8, 2011, special election, related to building size in Keizer Station.

There were comments about a small one-acre area at the end of Dennis Ray Avenue.

Nadine Stoltz, Keizer, expressed concern with Area B and recommended that the Council make no change to the current code. She stated that she would not have bought her property had she known there was a chance of a gas station being on the corner. She asked that a gas station not be allowed. She commented that there were three gas stations in the area. She stated that she and her neighbors were concerned about traffic congestion and gas tanks near where she lives, quality of life, light pollution, smells, noise concerns, sound pollution, underground storage tanks and the potential for gas tanks to leak.

Randy Stoltz, Keizer, shared that he could see a gas station in the area from his front yard. He was not in favor of changing the current code. He did not see the need for a gas station. He commented on the magnitude of traffic that could come with Raising Canes. He spoke to his neighbors, and they were surprised and felt it would back up the traffic. He expressed concern about traffic, congestion, noise and the potential impact on the value of his home. He felt the change would impact the quality of life. He asked if there would be a barrier wall and asked about where the traffic would exit.

Jan Sykes, Keizer, stated that a gas station would be in the backyard. She stated that it would be devastating to her if there were a gas station. She believed that her bedroom would be lit up with a gas station. She felt her quality of life would be diminished. She expressed concern about gas tanks and the well water that she drinks. She did not want gas in her backyard. She felt that the value of her home would decrease and expressed her concern about the impact of traffic.

Robert Vann, Development manager for Raising Canes, felt it was a good opportunity for the community. He stated that they would abide by all the rules and regulations of the City, and they were happy to abide by any stipulations. He stated that they like the neighborhood and the community.

There was a recess beginning at 8:00 p.m. The meeting resumed at 8:09 p.m.

Kim Pegles, Keizer, expressed concern for the safety of the students who were walking on McLeod. She noted the congestion on McLeod. She asked the Council to protect the children. She commented on a ten-minute video of the students walking on McLeod. She expressed concern about sex trafficking near a gas station. She felt that a traffic study needed to take place when school was in session.

Patti Tischer, Keizer, President of Greater Gubser Neighborhood Association. She shared that she was not opposed to a drive-thru, but she was opposed to a gas station. She commented on traffic congestion in the area. She noted that there were many walking children and felt that the change would not be positive. She hoped that the Council would consider the issues that had been brought forward.

With no further testimony, Mayor Clark closed the Public Hearing.

Councilor Juran proposed a 150-foot setback from the property lines, not allowing a gas station or a drive-thru. He noted that it would pretty much eliminate Area B, but the area by the transit center was 200 feet away. He commented that it would provide a buffer. He proposed the same thing for Area C. It was noted that there would be no room for a gas station in the area.

Mayor Clark commented on the development of Keizer Station that the expectation was commercial, mixed use, vertical and something that would be an extension of the neighborhoods transitioning into commercial area.

There was a question about whether 150 feet was enough. Staff would work on language to bring back to Council that would meet their intent. Mr. Lindsay remarked about the Council considering if they wanted to specify that the buffer would be for residential zoning. There were comments about potentially doing the same thing in Area C. Mr. Witham noted that it would be a separate Text Amendment process.

City Manager Adam Brown asked about splitting Area B and allow special conditions on the East side Keizer Station Boulevard or simply deny the special use request.

There was a question about whether there were other areas in Keizer Station that were available for a filling station. Mr. Witham noted that Area C may have a portion that could be used for a filling station, but it would have some limitations.

Councilor Juran moved the City Council direct staff to prepare an ordinance for adoption of proposed text amendments along with other identified changes necessary for consistency with the Keizer Development Code with the allowance for conditional use for Area B mixed use zone for auto-oriented drive thru only with either a 150 foot buffer or whatever would delineate our intention

to not allow it up against the residential zone property line. Councilor Kohler seconded. Motion passed unanimously as follows upon first reading:

AYES: Clark, Cross, Kohler, Starr, Juran, Christopher, and Parsons (7)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: None (0)

b. Text Amendment Case 2025-05: Keizer Code Appendix A (multiple sections) - amending parking regulations to eliminate minimum parking requirements

Mayor Clark opened the Public Hearing.

Planning Director Shane Witham summarized the staff report. Discussion ensued regarding the State mandate.

With no further testimony, Mayor Clark closed the Public Hearing.

Council President Starr moved the City Council direct staff to prepare an ordinance for adoption of proposed text amendments along with any other identified changes necessary for consistency with the Keizer Development Code. Councilor Kohler seconded. Motion passed unanimously as follows upon first reading:

AYES: Clark, Cross, Kohler, Starr, Juran, Christopher, and Parsons (7)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: None (0)

c. RESOLUTION - Authorizing City Manager to Sign Purchase and Sale Agreement with Terra Firma Property Development LLC

Mayor Clark opened the Public Hearing.

City Attorney Joseph Lindsay summarized the staff report. It was noted that there was an out for the developer in case they were not able to use the land the way that has already been master planned.

With no further testimony, Mayor Clark closed the Public Hearing.

Council President Starr moved to adopt Resolution R2025- Authorizing City Manager to Sign Purchase and Sale Agreement with Terra Firma Property Development LLC. Councilor Kohler seconded. Motion passed as follows:

AYES: Clark, Cross, Starr, Juran, Christopher, and Parsons (6)

NAYS: Kohler (1)

ABSTENTIONS: None (0)

ABSENT: None (0)

Council President Starr moved to extend the meeting through completion of Item 9.a. Councilor Kohler seconded.

Councilor Christopher asked for a friendly amendment to not go past 9:15 p.m. The mover did not accept the friendly amendment.

Motion passed as follows:

AYES: Clark, Starr, Juran, Kohler, and Parsons (5)

NAYS: Cross and Christopher (2)

ABSTENTIONS: None (0)

ABSENT: None (0)

d. RESOLUTION - Certification of Lighting District Assessments

Mayor Clark opened the Public Hearing.

Assistant City Manager Tim Wood summarized the staff report.

With no further testimony, Mayor Clark closed the Public Hearing.

Council President Starr moved to adopt Resolution R2025- Certification of Lighting District Assessments. Councilor Kohler seconded. Motion passed unanimously as follows:

AYES: Clark, Cross, Kohler, Starr, Juran, Christopher, and Parsons (7)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: None (0)

ADMINISTRATIVE ACTION

a. ORDINANCE - Relating to Park Regulations; Amending Keizer Code Sections 28-23 and 28-43

City Manager Brown reviewed the field reservation requirements. Councilor Cross expressed concern about charging fees. There was a suggestion to have the Parks and Recreation Advisory Board review the item more thoroughly because there was concern that they didn't have all the information when they made their recommendation.

Rebecca Finneran, Keizer Community Fields, requested to extend the hours. The park was being utilized until 10 p.m., and she proposed leaving the park open because of the daylight and an opportunity to make more money. She commented that she was not aware that there was a noise issue. She felt that there was not a need to go until 10:30 p.m.

There was a suggestion that there be a representative from Keizer Community Fields at the Parks and Recreation Advisory Board as well as the West Keizer Neighborhood Association.

Staff would work with Keizer Community Fields and the Parks and Recreation Advisory Board and bring back a recommendation.

**b. ORDINANCE - Relating to Fire Code; Amending Keizer Code Chapter 8
RESOLUTION - Repealing Resolution No. R98-1008 and Resolution R2004-1538 Relating to Fire Code**

This item was moved to the next City Council meeting.

c. RESOLUTION - Council Determination Regarding Adoption of Personnel Policies; Repeal of Resolution R2024-3439

This item was moved to the next City Council meeting.

OTHER BUSINESS

There was no other business.

STAFF UPDATES

There were no Staff updates.

COUNCIL MEMBER REPORTS

There were no Council Member Reports.

AGENDA INPUT

There was no Agenda input.

ADJOURNMENT

Mayor Clark adjourned the meeting at 9:17 p.m.

MAYOR:

APPROVED:

Cathy Clark

Dawn Wilson, Deputy City Recorder

Minutes approved: _____

“Agenda Management Services are being supported, in whole or in part, by federal award number 21.019 awarded to City of Keizer by the U.S. Department of the Treasury.”



To: Mayor Clark and City Council Members
Thru: Adam J. Brown, City Manager
From: Tim Wood, Assistant City Manager
Subject: Supplemental Budgets

Proposed Motion

I move the City Council adopt Resolution R2025-____ Authorization for Supplemental Budget - General Fund and Transportation Improvement Fund - Property Acquisition

I move the City Council adopt Resolution R2025-____ Authorization for Supplemental Budget - General Fund - Electric Vehicle Charging Station Upgrade

I. Summary

The supplemental budget is to:

1. Record an interfund loan of \$460,000 from the Transportation Improvement Fund to the General Fund for the acquisition of the property at 5660 McCleod Lane Northeast. The loan will be repaid over 5 years or from the proceeds in the event the property is subsequently sold.
2. To recognize and appropriate \$100,000 in Federal and State grants in the General Fund to upgrade the City's electric vehicle charging station.

II. Background

- A. At the June 2, 2025, Regular Council meeting, the City Council directed staff to acquire the property at 5660 McCleod Lane Northeast. In order to provide appropriations for the acquisition an interfund loan from the Transportation Improvement Fund to the General Fund is necessary. The loan will be repaid over 5 years or from the proceeds in the event the property is subsequently sold.
- B. The City was successful at obtaining two grants to upgrade the electrical vehicle charging station located at City Hall. The grants are a Federal Department of Energy grant of \$75,000 and an Oregon Department of Transportation grant of \$25,000. The supplemental budget is to recognize the grant revenue and appropriate \$100,000 for the upgrade project.

III. **Current Situation**

A. The supplemental budget was noticed in the June 27, 2025, edition of Keizertimes.

IV. **Analysis**

A. **Strategic Impact** - Not applicable

B. **Financial** - The supplemental budget will amend the 2025-26 City of Keizer Adopted Budget by:

Property Acquisition:

1. Transportation Improvement Fund:
 - a. Increase Transfers Out by \$460,000
 - b. Decrease Capital Outlay by \$460,000
2. General Fund Non-Departmental Revenue and Non-Departmental Expenses
 - a. Increase Transfers In by \$460,000
 - b. Increase Capital Outlay by \$460,000

Electric Vehicle Charging Station:

1. Non-Departmental Revenue - Increase intergovernmental resources by \$100,000
2. Non-Departmental Expenditures - Increase Capital Outlay by \$100,000

C. **Timing** - The supplemental budget, if adopted, will impact the Fiscal Year 2025-26 - City of Keizer Adopted Budget.

D. **Policy/Legal** - Oregon Budget Law (ORS 294) provides that a supplemental budget may be adopted when an occurrence or condition that was not known at the time the budget was prepared requires a change in financial planning.

V. **Alternatives**

A. Adopt the attached resolutions authorizing the supplemental budget.

B. Take no action and City Staff will need to identify alternate appropriations available.

VI. **Recommendation**

Staff recommends the council open the public hearing, take any testimony, close the hearing and adopt:

1. Resolution R2025-____ Authorization for a Supplemental Budget - General Fund and Transportation Improvement Fund - Property Acquisition
2. Resolution R2025-____ Authorization for a Supplemental Budget - General Fund - Electric Vehicle Charging Station Upgrade

Attachments

1. RES_CC_Authorization for Supplemental Budget - Property Acquisition_7 7 2025
2. RES_CC_Authorization for Supplemental Budget - EV Charging Station_7 7 2025

“Agenda Management Services are being supported, in whole or in part, by federal award number 21.019 awarded to City of Keizer by the U.S. Department of the Treasury.”

CITY COUNCIL, CITY OF KEIZER, STATE OF OREGON

Resolution R2025-_____

AUTHORIZATION FOR SUPPLEMENTAL BUDGET - General Fund and Transportation Improvement Fund - Property Acquisition

WHEREAS ORS 294 provides that a supplemental budget may be adopted when an occurrence or condition that was not known at the time the budget was prepared 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, 2026:

	Adopted/ Amended Budget	Adjustment		Revised Budget
		Increase	Decrease	
General Fund Non-Departmental Resources				
Transfers In	1,806,300	460,000	-	2,266,300
General Fund Non-Departmental Requirements				
Capital Outlay	-	460,000	-	460,000
Transportation Improvement Fund				
Transfers Out	600,000	460,000	-	1,060,000
Capital Outlay	4,486,800		460,000	4,026,800
This supplemental budget request is to recognize and appropriate an interfund loan from the Transportation Improvement Fund to the General Fund for the acquisition of the property at 5660 Mcleod Lane Northeast.				

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

PASSED this _____ day of _____, 2025

SIGNED this _____ day of _____, 2025

Mayor

City Recorder

CITY COUNCIL, CITY OF KEIZER, STATE OF OREGON

Resolution R2025-_____

**AUTHORIZATION FOR SUPPLEMENTAL BUDGET - General Fund - Electric Vehicle
Charging Station Upgrade**

WHEREAS ORS 294 provides that a supplemental budget may be adopted when an occurrence or condition that was not known at the time the budget was prepared 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, 2026:

	Adopted/ Amended Budget	Adjustment		Revised Budget
		Increase	Decrease	
General Fund Non-Departmental Resources				
Intergovernmental	991,500	100,000	-	1,091,500
General Fund Non-Departmental Requirements				
Capital Outlay	460,000	100,000	-	560,000
This supplemental budget request is to recognize and appropriate grant revenue to provide for the upgrading of the electric vehicle charge station at Keizer City Hall.				

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

PASSED this _____ day of _____, 2025

SIGNED this _____ day of _____, 2025

Mayor

City Recorder



To: Mayor Clark and City Council Members
Thru: Adam J. Brown, City Manager
From: Joseph Lindsay, City Attorney
Subject: Fire Code

Proposed Motion

I move that the City Council adopt Ordinance 2025-____ Relating to Fire Code; Amending Keizer Code Chapter 8.

AND

I move that the City Council adopt Resolution R2025-____ Repealing Resolution No. R98-1008 and Resolution R2004-1538 Relating to Fire Code.

I. Summary

After going through the codification process, the City is continuing to identify changes that need to be addressed in the Keizer Code. Here, the proposed ordinance will continuously adopt the most contemporary, adopted fire code of the State and delegate the enforcement of the code to the two local fire districts: Keizer Fire District and Marion County Fire District No.

1.

II. Background

A. The last time the City adopted the fire code was in 2004 in resolution R2004-1538. The incorporated fire code therein was from 2004.

B. Our Keizer Development Code references the "fire code" in several places without a formal definition in that section of the Code, so an updated fire code definition/adoption is the best approach.

III. Current Situation

A. The proposed adoption of the fire code looks to recognize whenever the State amends and adopts new versions. This should be a one-time fix that will ensure that the City always recognizes the most contemporary fire code.

IV. Analysis

A. **Strategic Impact** - NA

B. **Financial** - NA

C. **Timing** - It is helpful to get this done more sooner than later.

D. **Policy/Legal** - Adopting the most recent fire code in this way will erase any confusion about which fire code to apply.

V. Alternatives

A. Adopt the ordinance and resolution as presented.

B. Ask for staff to make changes.

C. Take no action, and the code and resolution will remain in place.

VI. Recommendation

Staff recommends adopting the ordinance and approving the resolution as presented.

Attachments

1. ORD_CC_Amending Keizer Code Chapter 8 - Fire Code_6 16 2025
2. EXH_CC_Fire Code_6 16 2025
3. RES_CC_Repeal of Fire Code Resolutions_6 16 2025

“Agenda Management Services are being supported, in whole or in part, by federal award number 21.019 awarded to City of Keizer by the U.S. Department of the Treasury.”

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A BILL
FOR
AN ORDINANCE
RELATING TO FIRE CODE; AMENDING KEIZER
CODE CHAPTER 8

ORDINANCE NO.
2025-_____

The City of Keizer ordains as follows:

Section 1. Keizer Code Chapter 8 is hereby amended by adding an Article IV as set forth in Exhibit A, attached hereto and by this reference incorporated herein.

Section 2. In preparing this ordinance for publication and distribution, the City Recorder shall not alter the sense, meaning, effect or substance of this ordinance, but within such limitations, may:

- (a) Renumber sections and parts of sections of the ordinance;
- (b) Rearrange sections;
- (c) Change reference numbers to agree with renumbered chapters, sections or other parts;
- (d) Delete references to repealed sections;
- (e) Substitute the proper subsection, section or chapter, or other division numbers;
- (f) Change capitalization and spelling for the purpose of uniformity;
- (g) Add headings for purposes of grouping like sections together for ease of reference; and

1 (h) Correct manifest clerical, grammatical or typographic errors.

2 Section 3. Each section of this ordinance, and any part thereof, is severable,
3 and if any part of this ordinance is held invalid by a court of competent jurisdiction, the
4 remainder of this ordinance shall remain in full force and effect.

5 Section 4. This Ordinance shall take effect thirty (30) days after its passage.

6 PASSED this _____ day of _____, 2025.

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8 SIGNED this _____ day of _____, 2025.

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Mayor

City Recorder

ARTICLE IV. FIRE CODE

Sec. 8-____. Delegation.

- (a) The city of Keizer hereby delegates to the Keizer Rural Fire Protection District and/or the Marion County Fire District No. 1 the enforcement of the Oregon Fire Code as adopted and amended by the Oregon Office of the State Fire Marshal in OAR 837, Division 40. Such delegation shall include, but shall not be limited to, fire prevention, fire suppression, fire safety, fire storage, fire escapes, and fire investigation.
- (b) The Oregon Fire Code shall be enforced by the fire prevention divisions of the Keizer Rural Fire Protection District and/or the Marion County Fire District No. 1, which shall be operated under the supervision of the fire marshal under the direction of the fire chief. The chief may detail or assign members of the fire department as inspectors, pursuant to the Oregon Fire Code and Oregon Statutes.

1 CITY COUNCIL, CITY OF KEIZER, STATE OF OREGON

2
3 Resolution R2025-_____

4
5 REPEALING RESOLUTION NO. R98-1008 AND RESOLUTION
6 R2004-1538 RELATING TO FIRE CODE

7
8 WHEREAS, the City Council adopted Resolution No. R98-1008 (Adopting the
9 Uniform Fire Code and Uniform Fire Code Standards' for Marion County Fire District
10 #1 in the City of Keizer, State of Oregon) on February 2, 1998;

11 WHEREAS, the City Council adopted Resolution R2004-1538 (Adopting the
12 2003 International Fire Code with State of Oregon Amendments; and Authorizing
13 Permits for Sale of Fireworks in the City of Keizer, State of Oregon) on November 1,
14 1998;

15 WHEREAS, Resolution No. R98-1008 and Resolution R2004-1538 are no longer
16 necessary because the Council enacted a Code that delegates the Oregon Fire Code to
17 the districts;

18 WHEREAS, the City Council wishes to repeal Resolution No. R98-1008 and
19 Resolution R2004-1538;

20 NOW, THEREFORE,

21 BE IT RESOLVED by the City Council of the City of Keizer that Resolution No.
22 R98-1008 (Adopting the Uniform Fire Code and Uniform Fire Code Standards' for
23 Marion County Fire District #1 in the City of Keizer, State of Oregon) and Resolution
24 No. R2004-1538 (Adopting the 2003 International Fire Code with State of Oregon

1 Amendments; and Authorizing Permits for Sale of Fireworks in the City of Keizer, State
2 of Oregon) are hereby repealed in their entirety.

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

5 PASSED this _____ day of _____, 2025.

6
7 SIGNED this _____ day of _____, 2025.

8
9
10 _____
11 Mayor

12
13 _____
City Recorder



To: Mayor Clark and City Council Members
Thru: Adam J. Brown, City Manager
From: Adam Brown, City Manager
Subject: Materials Management Advisory Council Appointee

Proposed Motion

I move to appoint _____ to serve on the Marion County Materials Management Advisory Council.

I. Summary

Marion County has formed a Materials Management Advisory Council to advise the County Commission on the implementation of certain aspects of the Recycling Modernization Act.

II. Background

- A. Beginning July 1, 2025, Oregon's new recycling law, Plastic Pollution and Recycling Modernization Act or RMA, will begin its start-up phase of implementation. Marion County has created an opportunity to work with other jurisdictions, to strengthen their commitment to materials management through engagement between urban and rural agency representatives, businesses, citizens, and other stakeholders in our solid waste system through the creation of a Materials Management Advisory Council.
- B. The mission of the Council is: to provide input to the Marion County Board of Commissioners ("Commissioners") regarding an integrated materials management system that is financially feasible, promotes sustainability, enhances environmental protection and public health in Marion County, and supports education on responsible material use. MMAC also provides recommendations, reports, position papers, and other information as requested by the Commissioners.
- C. The first meeting of the MMAC is scheduled for Wednesday, July 23, 2025, 5:30 to 7:30 p.m. This meeting will be in-person and will include dinner. The draft agenda includes welcome and introductions during dinner, then orientation, a review of the Bylaws, and an overview of DEQ's Recycling Modernization Act.

III. Current Situation

- A. Keizer has been designated two seats on this Committee. The Marion County Board of Commissioners have requested that the Keizer City Council appoint an elected city councilor to the Board. Additionally, the City Manager will appoint a staff member to the committee to work in tandem with the City Councilor.

IV. Analysis

- A. **Strategic Impact** - Does not apply.
- B. **Financial** - No financial request has been made in conjunction with the selection of the two seats which Keizer is filling on the committee. Each local government is receiving funds to meet statutory obligations in the Recycling Modernization Act. These funds are collected from producers of recyclable materials and will be distributed at \$3 per capita to each local government. The City can then allocate the money to organizations to comply with the local requirements. The City has received a request to pool the City's funds with the County's funds. Up until this point in time, we have been coordinating with our two solid waste haulers to fulfill the responsibilities associated with this funding.
- C. **Timing** - The County's first meeting of the Materials Management Advisory Committee is scheduled for July 23, 2025, from 5:30 to 7:30 pm.
- D. **Policy/Legal** - The Council as a whole is required to approve mayoral appointees as per the Council Rules and Procedures Manual Section 18.11 Outside Committees.

V. Alternatives

- A. Make an appointment: The City will have representation at the inaugural meeting of the Materials Management Advisory Council.
- B. Take no Action: The City will not have a Council member appointed position on the advisory council.

VI. Recommendation

Staff recommends the City Council select a Council member to serve on the Marion County Material Management Advisory Council so that a recommendation can be forwarded to Marion County.

Attachments

1. MMAC Bylaws - Draft
2. MC Solid Waste Code 8.05.030

"Agenda Management Services are being supported, in whole or in part, by federal award number 21.019 awarded to City of Keizer by the U.S. Department of the Treasury."

**MARION COUNTY
MATERIALS MANAGEMENT ADVISORY COUNCIL
(FORMERLY SOLID WASTE MANAGEMENT ADVISORY COUNCIL)
BYLAWS**

1. NAME

This Marion County body, formerly known as the Solid Waste Management Advisory Council (“SWMAC”), is now known as the Materials Management Advisory Council (“MMAC”) pursuant to Order 25-XX.

2. MISSION

To provide input to the Marion County Board of Commissioners (“Commissioners”) regarding an integrated materials management system that is financially feasible, promotes sustainability, enhances environmental protection and public health in Marion County, and supports education on responsible material use. MMAC also provides recommendations, reports, position papers, and other information as requested by the Commissioners.

3. PURPOSE OF ADVISORY COUNCIL

3.1. The Commissioners formed the Solid Waste Management Advisory Council (SWMAC) by Board Order on February 1, 1989. In 2025, the Council’s name was updated to the Materials Management Advisory Council (MMAC) pursuant to Order 25-XX to better reflect the broader goals of sustainable materials management beyond traditional waste disposal.

3.2. MMAC members represent the public interest and are expected to preserve the public trust by acting in an ethical and responsible manner.

4. GOALS

4.1. To provide a forum for input to the Commissioners and a clearinghouse for information regarding materials management.

4.2. To further develop the materials management system in accordance with the Marion County Materials Management Plan.

5. MEMBERSHIP

The MMAC shall have no more than twenty members.

5.1. VOTING MEMBERS (16):

- Marion County Commissioner **(1)**
- Incorporated Cities with Populations Greater Than 4,000 **(9)**
 - o City of Keizer **(2)**
 - Elected Official
 - Staff Member
 - o City of Salem **(2)**
 - Elected Official
 - Staff Member
 - o City of Woodburn **(2)**
 - Elected Official
 - Staff Member
 - o City of Aumsville **(1)**
 - Elected Official
 - o City of Silverton **(1)**
 - Elected Official
 - o City of Stayton **(1)**
 - Elected Official
- Incorporated Cities with Populations Less Than 4,000 **(2)**
- Marion County Citizens **(2)**
 - o Rural **(1)**
 - o Urban **(1)**
- Marion County Businesses **(2)**
 - o Food Service/Grocery Industry
 - o Home Builders Association

5.2. NON-VOTING MEMBERS (4):

- Materials Management Industry **(1)**
- Recycling Industry **(1)**
- DEQ Representative **(1)**
- Community Organization **(1)**

5.3. VACANCY: MMAC shall not be prohibited from taking any action solely because of a vacancy in any member position for any reason.

6. APPOINTMENT

- 6.1.** Members of the MMAC shall be appointed by the Commissioners to serve a four-year term from date of appointment. All members shall serve at the pleasure of the Commissioners.
- 6.2.** Terms shall commence on the date of appointment by the Commissioners.
- 6.3.** Members wishing to be reappointed shall submit a written request within 120 days prior to their term's expiration to the Director of Public Works ("Director") or the Director's designee. Failure to submit a written request for reappointment under this subsection shall not prevent the Commissioners from reappointing the member.
- 6.4.** Members may be reappointed by the Commissioners.
- 6.5.** The Director or the Director's designee shall be an ex-officio member of MMAC and vested with responsibility for assisting the chairperson in coordinating MMAC activities.

7. MEMBER'S DUTIES & EXPECTATIONS

The Director or the Director's designee shall provide new MMAC members with an orientation within 60 days of the appointment. The orientation shall include, but not be limited to:

- Bylaws
- Recycling Guide
- Marion Resoucers Program, if available, is encouraged
- Materials Management Facilities
 - o North Marion Recycling & Transfer Station (NMRTS)
 - o Salem Keizer Recycling & Transfer Station (SKRTS)
 - o Re:Source
- Materials Management Plan(s)
- Environmental Services Budget
- Volunteer Handbook/Package
- Oregon Public Meetings Law and Public Records Law
- Media Interaction Policy

Members are expected to attend meetings regularly, participate in discussions on topics brought before the MMAC, work collaboratively with other MMAC members and the public, inform themselves and the MMAC on related topics through reading of handout materials and other sources of information, and participate in the decision-making process. Members who represent an organization are also responsible for communicating relevant information from MMAC meetings back to their organization and, where appropriate, bringing perspectives or feedback from their organization to MMAC. Additionally, MMAC members are expected to abide by Oregon Public Meetings, Public Records, and Conflict of Interest Laws.

8. TERMINATION

MMAC shall recommend to the Commissioners removal of any member who it believes warrants termination from the MMAC pursuant to subsection 8.4.

8.1. Attendance:

More than three unexcused absences by any member from scheduled meetings during a consecutive twelve-month period may cause the MMAC to recommend to the Commissioners that this member be removed. Following the second unexcused absence during a consecutive twelve-month period from an MMAC meeting, the member shall be reminded by the chairperson of the absence removal policy.

8.2. Member Absences:

- If a member will not be able to attend a scheduled MMAC meeting, the member is to contact the Marion County Department of Public Works prior to the meeting and inform the Director or the Director's designee or the chair and/or vice-chair of the absence.
- The MMAC vice-chairperson will notify the meeting recorder of the absences at the end of the meeting for inclusion in the minutes.
- The absence will be reviewed by the MMAC vice-chairperson and will take action in accordance with section 8, if needed.
- The record of absences will be kept on a twelve-month basis that will coincide with each member's date of appointment.

8.3. Resignations:

Resignations by members shall be submitted in writing to the MMAC chairperson and staff, which shall be announced at the next meeting. A copy of the resignation shall be

forwarded to the Director or the Director's designee and the Commissioners for the appropriate action.

8.4. Reasons for Dismissal:

The MMAC may recommend removal of a member for misrepresentation of the MMAC, excessive absences from meetings, violation of MMAC Bylaws, or other inappropriate conduct. Any recommendation for removal shall be submitted to the MMAC for a recommendation to the Commissioners pursuant to subsection 9.4.

8.5. Removal:

The members of the MMAC serve at the pleasure of the Commissioners and may be removed at any time by the Commissioners.

9. MEETINGS

9.1. All meetings of the MMAC shall be in accordance with the requirements of the Oregon Public Meetings Law (ORS 192.610 to 192.710).

9.2. Regular & Special Meetings:

Tentative agenda, time, and location for the next MMAC meeting[s] shall be set at the end of each meeting, as mutually agreed by the chairperson and the members. The Marion County Department of Public Works may submit items for the agenda.

- Notice of the meeting time, place, and agenda shall be provided to all MMAC members, interested persons who have requested notice and the local news media at least three (3) days in advance of a scheduled meeting.
- Additional meetings may be scheduled as needed by the MMAC, the chairperson, or the Director or the Director's designee, with appropriate notice.
- Meetings for subcommittees shall be scheduled by staff, after consultation with the subcommittee members, with appropriate public notice.

9.3. Minutes:

- Minutes shall be a summary of the actual discussions and proceedings that transpired at the MMAC meeting or subcommittee meeting.
- Minutes shall be distributed to all members and interested persons prior to the next scheduled meeting. They will also be placed on the county website, after approval.
- MMAC members may submit clarification of their own comments, positions, votes, or other member activity before or at the next regularly scheduled meeting for inclusion in the minutes of the meeting being clarified.

9.4. Decision Making Method:

- A motion must be pending before a decision may be made. Every effort will be made to reach consensus when the MMAC is deliberating toward a decision. If consensus cannot be reached, the chairperson or any member may call for a voice vote. In all cases, the minimum number of affirmative votes for any motion to pass must be a majority of the appointed positions.
- A quorum shall be present in order to conduct business of the MMAC.

9.5. Quorum:

- A quorum shall be a majority of the voting positions. A vacancy in a voting position for any reason shall not be considered in determining a quorum.

9.6. A member must declare any conflicts of interest at a public meeting (ORS chapter 244). A conflict exists if a recommendation by the MMAC may potentially or actually affect the finances of the MMAC member or a direct family member, defined as a spouse, child or stepchild, parents, or siblings. If an **actual conflict exists, the member must declare this fact before voting on an issue that is discussed, and the member must refrain from discussing or voting on the matter. For a **potential conflict** of interest, the member must declare this fact before voting on an issue that is discussed, however the member may still discuss and vote on the issue.**

For represented positions on the MMAC, there is no conflict of interest if the decision or action would affect the business or industry for which the individual is seated on the MMAC to represent.

10. OFFICERS

10.1. Appointment of Officers:

- MMAC shall nominate and recommend to the Commissioners, voting members for the positions of chairperson and vice-chairperson. The Commissioners shall appoint the chairperson and vice-chairperson of the MMAC, who shall serve at the pleasure of the Commissioners.
- The chairperson shall serve a one-year term. Should the chair be unable to complete their term, the vice-chairperson may serve the remainder of the term as chair.
- In the event that neither the chairperson nor vice-chairperson is present, the MMAC shall designate a voting member to act as the chair for that meeting.

10.2. Duties of Officers:

- The chairperson shall:
 - o Preside at all meetings of the MMAC.
 - o Be the official representative of the MMAC.
 - o Assign a mentor for each newly appointed MMAC member.
 - o Coordinate members for various subcommittees.
- The vice-chairperson shall:
 - o Have the authority to preside as chairperson in the absence of the chairperson.
 - o Be the Parliamentarian for each meeting.
 - o Review member absences.

10.3. Orientation for the Chairperson and Vice-Chairperson:

- The Marion County Department of Public Works shall provide an orientation for the chairperson and vice-chairperson within sixty (60) days from the assumption of duties by a new chairperson or vice-chairperson.
- The orientation content shall provide the chairperson and vice-chairperson with information concerning the conduct of meetings and the responsibilities and duties of the chairperson and vice-chairperson. The information to be provided to the chairperson and vice-chairperson by staff includes, but is not limited to:
 - o Bylaws
 - o Public Meetings Law
 - o Roberts Rules of Order
 - o Code of Ethics

10.4. Removal of Officers:

The Board of Commissioners may remove a chairperson or vice-chairperson on its own motion or upon the recommendation of the MMAC when it determines that it is in the interest of the MMAC or the county to do so. If the chair is removed, the vice-chair may serve the remainder of the term as chair. If the vice-chair is removed, the MMAC will recommend a member, as defined by 10.1, for appointment to the position.

11. SPECIAL COMMITTEES

11.1. The MMAC may authorize the chairperson to appoint special subcommittees, as necessary, to deal with specific problems or issues the MMAC believes appropriate.

11.2. All appointed subcommittees are required to report their information and/or recommendation to the MMAC.

12. CHANGE IN BYLAWS

12.1. Changes to the Bylaws may be proposed by the MMAC. Any recommendations agreed upon by the MMAC shall be forwarded to the Commissioners for their approval.

12.2. The Commissioners may initiate changes to the Bylaws. These changes will be submitted to the MMAC for review and consultation prior to the Commissioners' adoption.

12.3. Upon the Commissioners approving the Bylaw amendments, the Marion County Department of Public Works will update the Bylaws and distribute them to all members of the MMAC.

13. GUIDELINES FOR COMMUNITY RELATIONS

13.1. Any member of the public is welcome to attend, participate, and provide input at MMAC meetings, at the approved agenda time.

13.2. Public comments may be limited to 3 minutes or accepted in writing.

13.3. Anyone who wishes to voice an opinion or present information or concerns to the MMAC may:

- Come to the meetings.
- Contact the Marion County Environmental Services Division Manager.

13.4. The chairperson shall make arrangements, as appropriate, to ensure public participation.

First Revision July 1989
Second Revision Sept 1990
Third Revision May 1993
Fourth Revision July 1996
Fifth Revision July 1999
Sixth Revision May 2003
Seventh Revision June 2004
Eighth Revision Aug 2005
Ninth Revision Aug 2015
Tenth Revision Nov 2016
Eleventh Revision Feb 2019
Twelfth Review Jan 2023
Thirteenth Revision May 2025

DRAFT

Marion County Solid Waste Management

8.05.030 Purpose, policy and scope.

A. In order to protect the health, safety, and welfare of the people of Marion County; to provide a coordinated program of waste reduction, recycling, collection, and disposal of waste and solid waste, recyclable materials and compostable materials; and to provide a viable franchise system; it is declared to be the public policy of Marion County to regulate the collection, transportation, recovery of materials and/or energy, and disposal of solid waste, in order to:

1. Provide for safe and sanitary collection, transportation, energy recovery, and disposal of waste and solid waste, recyclable materials and compostable materials.
2. Provide a coordinated county-wide program for control of waste and solid waste, recyclable materials and compostable materials in coordination with federal, state, and local agencies and laws.
3. Provide for and encourage research, study, surveys, and demonstration projects on developing more efficient and economical recovery of materials and/or solid waste disposal systems and programs.
4. Provide standards for location and operation of solid waste and materials resource recovery facilities.
5. Establish franchises and set franchise rates for franchised collectors, waste transporters, along with disposal operations at transfer stations, energy recovery facilities, or at sanitary landfills, that are just, fair, reasonable, and adequate to provide funding necessary for providing solid waste management to the people of unincorporated Marion County.
6. Provide for economically feasible resource recovery.
7. Provide for economically and environmentally sound waste reduction through such techniques as reduction at source, recycling, reuse, and/or materials resource recovery.

B. The board has the discretion to expend funds for any and all solid waste management activities. [Ord. 1309 § 1.3, 2010.]



To: Mayor Clark and City Council Members
Thru: Adam J. Brown, City Manager
From: Tim Wood, Assistant City Manager
Subject: Salem Sewer System Development Charge for Wastewater Treatment Facilities

Proposed Motion

I move the City Council adopt Resolution R2025-____ Establishing the Amount of the Sewer System Development Charge for Wastewater Treatment Facilities; Repealing Resolution R2024-3483.

I. Summary

The City of Keizer entered into an Intergovernmental Agreement (IGA) with the City of Salem relating to wastewater treatment. Pursuant to the IGA, the City agreed to adopt the City of Salem's sewer system development charge (SDC) for wastewater treatment facilities. The City of Salem has provided the new charge of \$401 effective July 1, 2025.

II. Background

- A. In 2009, the City entered into an IGA with the City of Salem relating to wastewater treatment.
- B. The City agreed to adopt the City of Salem's sewer system development charge for wastewater treatment facilities.
- C. The charge is essentially a "pass through" to Salem.
- D. This charge is separate from the transmission sewer SDC collected by Keizer for construction of new sewer lines.
- E. It is appropriate to repeal Resolution R2024-3483 and adopt the City of Salem's 2025-26 charge as contemplated under the IGA.
- F. State law requires that all fees be adopted by the City Council and that public comment be accepted.
- G. There is no requirement for a formal public hearing, but the Mayor must ask if any party wants to provide comment.

III. **Current Situation**

- A. The City is currently collecting \$393, the 2024–25 charges under the IGA.
- B. The City needs to collect \$401, the 2025-26 charges under the IGA.

IV. **Analysis**

- A. **Strategic Impact** - Not Applicable
- B. **Financial** - This is a pass-through charge for the City of Salem.
- C. **Timing** - Adoption of the 2025-26 charges will allow the City to collect the correct amount under the IGA.
- D. **Policy/Legal** - State law requires that all fees be adopted by the City Council and that public comment be accepted.

V. **Alternatives**

- A. Adopt the attached Resolution establishing the 2025-26 amount under the IGA.
- B. Take No Action - The City will continue to collect the 2024-25 amount.

VI. **Recommendation**

Staff recommends that the City Council allow for public comment and unless there are objections or questions, adopt the attached resolution.

Attachments

1. RES_CC_Setting 2025 Salem Sewer System Development Charge_7 7 2025

“Agenda Management Services are being supported, in whole or in part, by federal award number 21.019 awarded to City of Keizer by the U.S. Department of the Treasury.”

CITY COUNCIL, CITY OF KEIZER, STATE OF OREGON

Resolution R2025-_____

ESTABLISHING THE AMOUNT OF THE SEWER SYSTEM
DEVELOPMENT CHARGE FOR WASTEWATER
TREATMENT FACILITIES; **REPEALING RESOLUTION
R2024-3483**

WHEREAS, the City Council adopted Resolution R2024-3483 establishing the
sewer system development charge for wastewater treatment facilities;

WHEREAS, the City of Keizer entered into an Intergovernmental Agreement
with the City of Salem for wastewater treatment in 2009;

WHEREAS, pursuant to such Intergovernmental Agreement, the City agreed to
adopt the City of Salem sewer system development charge for wastewater treatment
facilities;

WHEREAS, it is appropriate to repeal Resolution R2024-3483 and adopt the
City of Salem's 2025 sewer system development charge for wastewater treatment
facilities effective July 1, 2025;

NOW, THEREFORE,

BE IT RESOLVED by the City Council of the City of Keizer that effective July
1, 2025 the sewer system development charges for wastewater treatment facilities on
properties with a ¾" meter or less set by the City of Salem are hereby adopted as
follows:

Sanitary Sewer Connection Fee	\$ 57.00
SDC-Sewer Reimbursement	\$ 59.00

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To: Mayor Clark and City Council Members
Thru: Adam J. Brown, City Manager
From: Shane Witham, Planning Director
Subject: Text Amendment: Elimination of Minimum Parking Requirements

Proposed Motion

I move that the City Council adopt Ordinance No. 2025-____ Relating to Parking Requirements; Amending Keizer Code Appendix A, Multiple Sections as identified and shown in Exhibit A.

I. Summary

As directed by City Council, staff has prepared an Ordinance for adoption that will modify the Keizer Code to eliminate minimum parking standards. Multiple sections of the Code are proposed to be modified related to minimum parking requirements, and are necessary due to the Climate-Friendly and Equitable Communities (CFEC) Rules requirements. Sections 1.200.04, 2.102.04, 2.102.06, 2.103.04, 2.103.06, 2.104.04, 2.104.06, 2.105.04, 2.105.06, 2.106.05, 2.107.05, 2.107.07, 2.108.06, 2.109.08, 2.110.07, 2.112.06, 2.113.06, 2.114.07, 2.115.07, 2.116.06, 2.118.03, 2.118.08, 2.119.12, 2.130.05, 2.130.09, 2.203.04, 2.303.01, 2.303.02, 2.303.03, 2.303.04, 2.303.05, 2.303.06, 2.303.08, 2.303.09, 2.303.11, 2.311.03, 2.314, 2.405.03, 2.407, 2.412, 2.413, 2.423, 2.427.07, 2.432.03, and 3.113.04 are proposed to be changed.

II. Background

- A. One of the elements of the Climate Friendly and Equitable Communities (CFEC) rules pertains to parking reform. This issue has been discussed at both Planning Commission and City Council several times and now the City's deadline for completing changes to our parking regulations is upon us. The City is required to adopt changes by the end of June 2025. The proposed changes will eliminate requirements for minimum parking requirements city-wide. It should be noted that OAR 660-012-0440 previously went into effect on December 31, 2022, which repealed parking mandates for areas within 1/2 mile of transit. This covers the majority of the City except for some areas in West Keizer (west of Chehalis) and North Keizer (north of Wheatland/River split). This standard has been applied directly for more than 2 years, and we have not had any development proposals come in and choose not to provide parking during that time period. So, even though

parking is often a concern, I am hopeful the required changes will not greatly increase the issues that currently exist. Staff received input from the Department of Land Conservation and Development (DLCD) staff and it appears we will also need to make some future additional updates (that are not part of this proposal) to address landscaping requirements in larger parking lots in the future.

- B. The Planning Commission held a public hearing on May 21, 2025 to consider the proposed changes and unanimously recommended approval of the proposed changes to City Council for consideration. On June 16, 2025, the City Council held a public hearing and ultimately directed staff to prepare an ordinance for adoption of the proposed changes. No testimony was received at either the Planning Commission or City Council public hearing regarding this issue.

III. **Current Situation**

- A. We are required to comply with the Oregon Administrative Rules and our deadline for adopting the parking changes was the end of June 2025.
- B. Currently, we cannot require minimum parking requirements for development that is located within a 1/2 mile of frequent transit service due to administrative rules. We apply the rule directly (allowed by the State) and to this point have not modified our local ordinances to reflect the state-driven requirement. It should be noted that no development proposals have been submitted to staff that do not provide on-site parking.
- C. The City Council directed staff to prepare an ordinance for adoption of the proposed changes, and staff has done so and brought the ordinance back for adoption as soon as was possible.

IV. **Analysis**

- A. **Strategic Impact** - none
- B. **Financial** - none
- C. **Timing** -
City Council directed staff to prepare an ordinance and findings for adoption of the proposed changes at the June 16, 2025 Council Meeting, and this is the next available meeting. The City had a deadline from the Department of Land Conservation and Development (DLCD) to amend the Code by June 30, 2025.
- D. **Policy/Legal** - The Keizer Code identifies the process for a text amendment, which has been followed. Adoption of the Ordinance and Findings is necessary to complete the amendment process.

V. **Alternatives**

- A. Adopt the attached ordinance.

- B. Adopt the attached ordinance with any identified amendments.
- C. Take no action. This would result in the City being out of compliance with the Oregon Administrative Rules.

VI. Recommendation

Staff recommends that City Council adopt the attached ordinance.

Attachments

1. ORD_CC_Amending Appendix A - Parking Requirements_7 7 2025
2. EXH_CC_2025-05 Code Changes - Parking_7 7 2025
3. Findings-KDCAmendment-Parking-multiple sections-case 2025-05

“Agenda Management Services are being supported, in whole or in part, by federal award number 21.019 awarded to City of Keizer by the U.S. Department of the Treasury.”

A BILL

ORDINANCE NO.
2025-_____

FOR

AN ORDINANCE

RELATING TO PARKING REQUIREMENTS; AMENDING
KEIZER CODE APPENDIX A, SECTIONS 1.200.04, 2.102.04,
2.102.06, 2.103.04, 2.103.06, 2.104.04, 2.104.06, 2.105.04, 2.105.06,
2.106.05, 2.107.05, 2.107.07, 2.108.06, 2.109.08, 2.110.07, 2.112.06,
2.113.06, 2.114.07, 2.115.07, 2.116.06, 2.118.03, 2.118.08, 2.119.12,
2.130.05, 2.130.09, 2.203.04, 2.303.01, 2.303.02, 2.303.03, 2.303.04,
2.303.05, 2.303.06, 2.303.08, 2.303.09, 2.303.11, 2.311.03, 2.314,
2.405.03, 2.407, 2.412, 2.413, 2.423, 2.427.07, 2.432.03, AND
3.113.04

The City of Keizer ordains as follows:

Section 1. Keizer Code Appendix A is hereby amended at Sections 1.200.04,
2.102.04, 2.102.06, 2.103.04, 2.103.06, 2.104.04, 2.104.06, 2.105.04, 2.105.06,
2.106.05, 2.107.05, 2.107.07, 2.108.06, 2.109.08, 2.110.07, 2.112.06, 2.113.06,
2.114.07, 2.115.07, 2.116.06, 2.118.03, 2.118.08, 2.119.12, 2.130.05, 2.130.09,
2.203.04, 2.303.01, 2.303.02, 2.303.03, 2.303.04, 2.303.05, 2.303.06, 2.303.08,
2.303.09, 2.303.11, 2.311.03, 2.314, 2.405.03, 2.407, 2.412, 2.413, 2.423, 2.427.07,
2.432.03, and 3.113.04 as set forth in Exhibit A, attached hereto and by this reference
incorporated herein.

Section 2. This is a legislative land use amendment. Findings demonstrating
compliance with the applicable criteria are set forth in Exhibit B, which is attached
hereto and incorporated herein by reference.

1 Section 3. In preparing this ordinance for publication and distribution, the City
2 Recorder shall not alter the sense, meaning, effect or substance of this ordinance, but
3 within such limitations, may:

4 (a) Renumber sections and parts of sections of the ordinance;

5 (b) Rearrange sections;

6 (c) Change reference numbers to agree with renumbered chapters, sections or
7 other parts;

8 (d) Delete references to repealed sections;

9 (e) Substitute the proper subsection, section or chapter, or other division
10 numbers;

11 (f) Change capitalization and spelling for the purpose of uniformity;

12 (g) Add headings for purposes of grouping like sections together for ease of
13 reference; and

14 (h) Correct manifest clerical, grammatical or typographic errors.

15 Section 4. Each section of this ordinance, and any part thereof, is severable,
16 and if any part of this ordinance is held invalid by a court of competent jurisdiction, the
17 remainder of this ordinance shall remain in full force and effect.

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Section 5. This Ordinance shall take effect thirty (30) days after its passage.

PASSED this _____ day of _____, 2025.

SIGNED this _____ day of _____, 2025.

Mayor

City Recorder

Sec. 1.200.04. Definitions.

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. ~~(12/19)~~ (7/2025)

2.102. SINGLE-FAMILY RESIDENTIAL (RS)

Sec. 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: (6/99)
 - 1. Is properly accredited by the Council on Accreditation of Child and Family Programs; (6/99)
 - 2. Be located on a lot of no less than 16,000 square feet; (6/99)
 - 3. The lot shall be located on an arterial or major collector street; (6/99)
 - 4. Shall be no less than 2,400 square feet in size, excluding attached garages, carports, patios, and all unfinished space; (6/99)
 - 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; (6/99)
 - ~~6. Shall have usable paved off-street parking for no less than six 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; (6/99)~~
 - ~~7. At least one-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 eight 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 six 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. (6/99)~~
 - ~~8. Is not located within one-half 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. (6/99)~~

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)

Sec. 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 and recommendations: (7/2025)

- A. *Off-street parking.* Parking ~~shall be~~ as specified in section 2.303. ~~(5/98)~~ (7/2025)

- 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 detached dwellings, duplexes, triplexes, quadplexes, cottage cluster developments, and townhouses shall comply with the design standards in section 2.314. (6/22)
 - 2. Residential structures with five or more attached dwelling units and nonresidential structures shall comply with the provisions in section 2.315, development standards. (6/22)
- 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 percent 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 percent. Maximum lot coverage does not apply to cottage clusters. (6/22)
- I. *Density.* When RS zoned property is subdivided the minimum density shall be four units per acre, the maximum density shall be eight units per acre for single-family detached or 25 units per acre for townhouses. The maximum density does not apply to duplexes, triplexes, quadplexes, or cottage clusters. (6/22)
- J. Proposals to develop properties in RCOD are subject to development standards in section 2.130. (12/19)

2.103. LIMITED DENSITY RESIDENTIAL (RL)

Sec. 2.103.04. 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. 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. Rooming and boarding houses (702). (5/98)
- G. Water supply (494). (5/98)
- H. Child foster home for six, seven or eight children, providing such home: (6/99)
 - 1. Is properly accredited by the Council on Accreditation of Child and Family Programs; (6/99)
 - 2. Be located on a lot of no less than 16,000 square feet; (6/99)
 - 3. The lot shall be located on an arterial or major collector street; (6/99)
 - 4. Shall be no less than 2,400 square feet in size, excluding attached garages, carports, patios, and all unfinished space; (6/99)
 - 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; (6/99)
 - ~~6. Shall have usable paved off-street parking for no less than six 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; (6/99)~~
 - ~~7. At least one-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 eight 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 six 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. (6/99)~~
 - ~~8. Is not located within one-half 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. (6/99)~~

All child foster homes shall meet all applicable laws and regulations, including, but not limited to, applicable building codes. (6/99)

Sec. 2.103.06. Development standards.

All development in the RL zone shall comply with the applicable provisions of this ordinance. The following includes referenced items as well as additional development requirements and recommendations: [\(7/2025\)](#)

- A. *Off-street parking.* Parking ~~shall be~~ as specified in section 2.303. ~~(5/98)~~ [\(7/2025\)](#)

- B. *Design standards.* Unless specifically modified by provisions in this section, buildings located within the RL zone shall comply with the following standards: (5/98)
 - 1. Single-family detached dwellings, duplexes, triplexes, quadplexes, cottage clusters, and townhouses shall comply with the design standards in section 2.314. (6/22)
 - 2. Residential structures with five or more attached dwelling units, and nonresidential structures, shall comply with the provisions in section 2.315, development standards. (6/22)
- 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 percent 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 percent. Maximum lot coverage does not apply to cottage clusters. (6/22)
- I. *Density.* Subdivisions and multifamily development within the RL zone shall comply with the following density requirements:
 - 1. For property designated medium density in the comprehensive plan, the minimum density shall be six units per acre; the maximum density shall be ten units per acre for single-family detached and 25 units per acre for townhouses. (6/22)
 - 2. For property designated medium-high density in the comprehensive plan, the minimum density shall be eight units per acre; the maximum density shall be 14 units per acre. (5/98)
 - 3. Maximum densities do not apply to duplexes, triplexes, quadplexes, or cottage clusters. (6/22)

2.104. MEDIUM DENSITY RESIDENTIAL (RM)

Sec. 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: (6/99)
 - 1. Is properly accredited by the Council on Accreditation of Child and Family Programs; (6/99)
 - 2. Be located on a lot of no less than 16,000 square feet; (6/99)
 - 3. The lot shall be located on an arterial or major collector street; (6/99)
 - 4. Shall be no less than 2,400 square feet in size, excluding attached garages, carports, patios, and all unfinished space; (6/99)
 - 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; (6/99)
 - ~~6. Shall have usable paved off-street parking for no less than six 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; (6/99)~~
 - ~~6-7.~~ At least one-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 eight 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 six 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; (6/99)
 - ~~7-8.~~ Is not located within one-half 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. (6/99)
- 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)

Sec. 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 ~~and recommendations:~~ (7/2025)

- A. *Off-street parking.* Parking ~~shall be~~ as specified in section 2.303. ~~(5/98)~~ (7/2025)
- 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 detached dwellings, duplexes, triplexes, quadplexes, cottage cluster developments, and townhouses shall comply with the design standards in section 2.314. (6/22)
 - 2. Multifamily units, and nonresidential structures shall comply with the provisions in section 2.315, development standards. (6/22)
- 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 percent 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 percent. Maximum lot coverage does not apply to cottage clusters. (6/22)
- I. *Density.* Subdivisions and multifamily 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 six units per acre; the maximum density shall be ten units per acre for single-family detached and multifamily and 25 units per acre for townhouses. (6/22)
 - 2. For property designated medium-high density in the comprehensive plan, the minimum density shall be eight units per acre; the maximum density shall be 22 units per acre for single-family detached and 25 units per acre for townhouses. (6/22)
 - 3. Maximum densities do not apply to duplexes, triplexes, quadplexes, or cottage clusters. (6/22)
- J. *Proposals to develop properties in RCOD* are subject to development standards in section 2.130. (12/19)

2.105. HIGH DENSITY RESIDENTIAL (RH)

Sec. 2.105.04. 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, providing such home: (6/99)
 - 1. Is properly accredited by the Council on Accreditation of Child and Family Programs; (6/99)
 - 2. Be located on a lot of no less than 16,000 square feet; the lot shall be located on an arterial or major collector street; (6/99)
 - 3. Shall be no less than 2,400 square feet in size, excluding attached garages, carports, patios, and all unfinished space; (6/99)
 - 4. Shall have setbacks for all structures of no less than 16 feet on each side and 30 feet along the back of the property; (6/99)
 - ~~5. Shall have usable paved off-street parking for no less than six 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; (6/99)~~
 - 56. At least one-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 eight 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 six 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; (6/99)
 - ~~67.~~ Is not located within one-half 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. (6/99)

All child foster homes shall meet all applicable laws and regulations, including, but not limited to, applicable building codes. (6/99)

Sec. 2.105.06. Development standards.

All development in the RH zone shall comply with the applicable provisions of this ordinance. The following includes referenced items as well as additional development requirements and recommendations: [\(7/2025\)](#)

- A. *Off-street parking.* Parking ~~shall be~~ as specified in section 2.303. ~~(5/98)~~ [\(7/2025\)](#)
- B. *Design standards.* Unless specifically modified by provisions in this section, buildings located within the RH zone shall comply with the following standards: (5/98)

1. Single-family detached dwellings, duplexes, triplexes, quadplexes, cottage cluster developments, and townhouses shall comply with the design standards in section 2.314. (6/22)
2. Residential structures with five or more attached dwelling units, and nonresidential structures, shall comply with the provisions in section 2.315, development standards. (6/22)
- 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 percent 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 percent. Maximum lot coverage does not apply to cottage clusters. (6/22)
- I. *Density.* The minimum development density shall be 16 units per acre; there shall be no maximum density. (5/98)

2.106. RESIDENTIAL COMMERCIAL (RC)

Sec. 2.106.05. Development standards.

All development in the RC zone shall comply with the applicable provisions of this ordinance. The following includes referenced items as well as additional development requirements and recommendations: [\(7/2025\)](#)

- A. *Off-street parking and loading.* ~~A minimum of two parking spaces per dwelling unit; plus, the greater of one parking space per 1,000 square feet of building area or two spaces.~~ Parking may not be located within any required yard area. There are no loading space requirements. ~~(5/98)~~ [\(7/2025\)](#)
- B. *Design standards.* Unless specifically modified by provisions in this section, buildings located within the RC 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 nonresidential structures shall comply with the provisions in section 2.315, development standards. (5/98)
- C. *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 as provided for in section 2.313. For the purposes of this section, development within the RC zone shall be considered nonresidential. (5/98)
- G. *Landscaping.* A minimum of 20 percent 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 80 percent. (5/98)
- I. *Yards adjacent to residential uses.* A six-foot sight-obscuring fence, wall or hedge shall screen yards adjacent to residentially zoned or used lot. (5/98)
- J. *Hours of operation.* Businesses within the RC zone shall not open for business earlier than 7:00 am and shall close no later than 11:00 p.m. (5/98)
- K. *Outdoor storage.* The outdoor storage of materials, equipment or products shall be prohibited. (5/98)
- L. *Architectural.* All buildings shall be designed with a residential architectural character, including using only wood or masonry siding, having a pitched roof with shake, shingle, or tile roofing material, having no more than 25 percent of the total wall area in windows, and having main and trim colors conforming to the allowable colors for main color in the CM zone. (5/98)

2.107. MIXED USE (MU)

Sec. 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 overnight in parking lots. (4/08)
 - 5. Hospitals, but not including surgicenters and day surgery facilities. (12/19)
- B. Retail uses as set forth in section 2.107.02(I) are limited to buildings not exceeding 10,000 square 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 façades 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 15 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 (CMUs), 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-through businesses shall have the drive-through 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 percent 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. (9/18)
- 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. (9/18)
- 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 carpool use; and adjacent on-street parking. The parking study is subject to review and approval or modification by the city. (4/08)~~

~~45. *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)

~~56. *Human scaled building design.* (4/08)~~

~~Building façades 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. (9/18)~~

H. Proposals to develop properties in RCOD are subject to use regulations in section 2.130. (12/19)

Sec. 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 and recommendations: [\(7/2025\)](#)

- A. *Off-street parking.* Parking ~~shall be~~ as specified in section 2.303. ~~(5/98)~~ [\(7/2025\)](#)

- 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 detached dwellings, duplexes, triplexes, quadplexes, townhouses, and cottage cluster developments shall comply with the design standards in section 2.314. (6/22)
 2. Residential structures with five or more attached dwelling units and nonresidential structures shall comply with the provisions in section 2.315, development standards. (6/22)
 3. For MU zoned property fronting Cherry Avenue south of Manbrin Drive, residential use shall occupy no less than 35 percent and no more than 65 percent 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 percent.
 - Mixed commercial and residential development: 20 percent.
 - Residential development: 25 percent.
- H. *Lot coverage.* The maximum coverage allowed for buildings, accessory structures and paved parking shall be as follows: (5/98)
- Commercial development: 85 percent.
 - Mixed commercial and residential development: 80 percent.
 - Residential development (except cottage clusters) (6/22): 75 percent.
- I. *Density.* For property zoned MU as identified in the Keizer Station Plan, the minimum density for subdivisions, partitions, multifamily or any residential development shall be a minimum eight units per acre and a maximum 24 units per acre for single-family detached and 25 units per acre for townhouses, except there shall be no maximum density for duplexes, triplexes, quadplexes, and cottage clusters, and there shall be no minimum residential density requirement for multifamily development within a mixed use building. (6/22)
- J. Proposals to develop properties in RCOD are subject to development standards in section 2.130. (12/19)

2.108. COMMERCIAL OFFICE (CO)

Sec. 2.108.06. Development standards.

All development in the CO zone shall comply with the applicable provisions of this ordinance. The following includes referenced items as well as additional development requirements and recommendations. If a conflict exists with a specific standard found in this section and a standard found elsewhere in this ordinance, the standard in this section shall govern. ~~(5/98)~~ (7/2025)

A. *Off-street parking.*

1. Parking ~~shall be~~ as specified in section 2.303. ~~In the event that on-street parking is provided, on-street parking that abuts the property can be used to meet the standard.~~ ~~(5/98)~~ (7/2025)
2. If provided, pParking must be located to the side or rear of newly constructed buildings. If located on the side, parking is limited to 50 percent of the street frontage. ~~(5/98)~~ (7/2025)
- ~~3. No off-street parking is required for uses above the ground floor.~~ ~~(5/98)~~
- ~~4. The off-street parking requirement for residential uses is one space per unit.~~ ~~(5/98)~~
- ~~5. If mixed uses on the ground floor exhibit peak parking demand at different times, the resulting parking requirement is limited to the number of spaces generated at the highest combined peak demand at any one particular time. (For example, if there is a movie theater exhibiting peak parking demand between 7:00 and 10:00 p.m. with a total requirement of 100 spaces and a pet store exhibiting peak demand between 1:00 and 5:00 p.m. with a requirement of 50 spaces, the total requirement for the building would be 100 spaces.)~~ ~~(5/98)~~

B. *Subdivisions and partitions.* Land divisions shall be reviewed in accordance with the 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. *Signs.* Signs shall conform to the requirements of section 2.308. ~~(5/98)~~

E. *Accessory structures.* Accessory structures shall conform to requirements in section 2.313. ~~(5/98)~~

F. *Storage, trash, and service functions.* Storage areas, trash, recycling, utilities and other service functions shall be located within the main structure if possible. If any of the above functions are located outside the main structure, the area containing the function must be screened with a solid, durable structure that is architecturally related to the building. ~~(5/98)~~

G. *Landscaping, general.* All required yards shall be landscaped. Landscaped areas shall be landscaped as provided in section 2.309. landscaped area requirements shall be as follows: ~~(5/98)~~

	<i>The minimum</i>
Commercial development:	10%
Mixed commercial and residential development:	15%
Residential development:	20%

H. *Landscaping, parking lots.* One tree shall be provided for every eight parking spaces provided in parking lots. The trees shall be dispersed throughout the parking lot in minimum four-by-four-foot planters located between parking spaces. ~~(5/98)~~ (7/2025)

I. *Lot coverage.* The maximum coverage allowed for buildings, accessory structures and paved parking shall be as follows: ~~(5/98)~~

	<i>Max.</i>	<i>Min.</i>
--	-------------	-------------

Commercial development:	90%	50%
Mixed commercial and residential development:	85%	50%
Residential development:	80%	50%

- J. *Density*. The maximum residential density shall be 24 units per acre, and minimum residential density shall be eight units per acre. Developments limited exclusively to residential uses and containing less than eight dwelling units per acre are allowed if they comply with the following: (5/98)
1. No more than 50 percent of the property shall be occupied. The occupied area shall include all buildings, accessory structures, driveways, parking and required landscaping. (5/98)
 2. The remaining undeveloped portion of the property shall be in one contiguous piece. Access to a public street, in conformance with ordinance requirements, shall be available. The undeveloped portion shall have sufficient width and depth to be developed for additional residential, or commercial, uses. (5/98)

2.109. COMMERCIAL RETAIL (CR)

Sec. 2.109.08. Development standards.

All development in the CR zone shall comply with the applicable provisions of this ordinance. The following includes referenced items as well as additional development requirements and recommendations. If a conflict exists with a specific standard found in this section and a standard found elsewhere in this ordinance, the standard in this section shall govern. ~~(5/98)~~ (7/2025)

A. *Off-street parking.*

1. Parking ~~shall be~~ as specified in section 2.303. ~~In the event that on-street parking is provided, on-street parking that abuts the property can be used to meet the standard.~~ ~~(5/98)~~ (7/2025)
2. ~~No off-street parking is required for uses above the ground floor.~~ ~~(5/98)~~
23. ~~The off-street parking requirement for residential uses is one space per unit.~~ ~~(5/98)~~
4. ~~If mixed uses on the ground floor exhibit peak parking demand at different times, the resulting parking requirement is limited to the number of spaces generated at the highest combined peak demand at any one particular time. (For example, if there is a movie theater exhibiting peak parking demand between 7:00 and 10:00 p.m. with a total requirement of 100 spaces and a pet store exhibiting peak demand between 1:00 and 5:00 p.m. with a requirement of 50 spaces, the total requirement for the building would be 100 spaces).~~

B. *Subdivisions and partitions.* Land divisions shall be reviewed in accordance with the 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. *Signs.* Signs shall conform to the requirements of section 2.308. (5/98)

E. *Accessory structures.* Accessory structures shall conform to requirements in section 2.313. (5/98)

F. *Storage, trash, and service functions.* Storage areas, trash, recycling, utilities and other service functions shall be located within the main structure if possible. If any of the above functions are located outside the main structure, the area containing the function must be screened with a solid, durable structure that is architecturally related to the building. (5/98)

G. *Landscaping, general.* All required yards shall be landscaped. Landscaped areas shall be landscaped as provided in section 2.309. The minimum landscaped area is ten percent. (5/98)

H. *Landscaping, parking lots.* One tree shall be provided for every eight parking spaces provided in parking lots. The trees shall be dispersed throughout the parking lot in minimum four by four-foot planters located between parking spaces. ~~(5/98)~~ (7/2025)

I. *Lot coverage.* The maximum coverage allowed for buildings, accessory structures and paved parking shall be as follows: (5/98)

	Max	Min
Commercial development	90%	50%

2.110. COMMERCIAL MIXED USE (CM)

Sec. 2.110.07. Development standards.

All development in the CM zone shall comply with the applicable provisions of this ordinance. The following includes referenced items as well as additional development requirements. If a conflict exists with a specific standard found in this section and a standard found elsewhere in this ordinance, the standard in this section shall govern. (5/98)

A. *Off-street parking.*

1. Parking ~~shall be~~ as specified in section 2.303. ~~In the event that on-street parking is provided, on-street parking that abuts the property can be used to meet the standard. (5/98) (7/2025)~~
- ~~2. No off-street parking is required for uses above the ground floor. (5/98)~~
- ~~3. The off-street parking requirement for residential uses is one space per unit. (5/98)~~
- ~~4. If mixed uses on the ground floor exhibit peak parking demand at different times, the resulting parking requirement is limited to the number of spaces generated at the highest combined peak demand at any one particular time. (For example, if there is a movie theater exhibiting peak parking demand between 7:00 and 10:00 p.m. with a total requirement of 100 spaces and a pet store exhibiting peak demand between 1:00 and 5:00 p.m. with a requirement of 50 spaces, the total requirement for the building would be 100 spaces.)~~

B. *Subdivisions and partitions.* Land divisions shall be reviewed in accordance with the 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. *Signs.* Signs shall conform to the requirements of section 2.308. (5/98)

E. *Accessory structures.* Accessory structures shall conform to requirements in section 2.313. (5/98)

F. *Storage, trash, and service functions.* Storage areas, trash, recycling, utilities and other service functions shall be located within the main structure if possible. If any of the above functions are located outside the main structure, the area containing the function must be screened with a solid, durable structure that is architecturally related to the building. (5/98)

G. *Landscaping, general.* All required yards shall be landscaped. Landscaped areas shall be landscaped as provided in section 2.309.

1. The minimum landscaped area requirements shall be as follows:

Commercial development	10%
Mixed commercial and residential development	15%
Residential development	20%

2. Properties located within Area B as defined in the Keizer Station Plan shall have a 20-foot landscape buffer along all property lines adjacent to any residential zone. Landscape and buffer requirements shall be met as defined in the Keizer Station Plan. (12/03)

H. *Landscaping, parking lots.* One tree shall be provided for every eight parking spaces provided in parking lots. The trees shall be dispersed throughout the parking lot in minimum four by four-foot planters located between parking spaces. ~~(5/98) (7/2025)~~

I. *Lot coverage.* The maximum coverage allowed for buildings, accessory structures and paved parking shall be as follows: (5/98)

	<i>Max.</i>	<i>Min.</i>
Commercial development	90%	50%
Mixed commercial and residential development	85%	50%
Residential development	80%	50%

- J. *Density.* The maximum residential density shall be 24 units per acre and minimum residential density shall be eight units per acre. Developments limited exclusively to residential uses and containing less than eight dwelling units per acre are allowed if they comply with the following: (5/98)
1. No more than 50 percent of the property shall be occupied. The occupied area shall include all buildings, accessory structures, driveways, parking and required landscaping. (5/98)
 2. The remaining undeveloped portion of the property shall be in one contiguous piece. Access to a public street, in conformance with ordinance requirements, shall be available. The undeveloped portion shall have sufficient width and depth to be developed for additional residential, or commercial, uses. (5/98)

2.112 COMMERCIAL GENERAL (CG)

Sec. 2.112.06. Development standards.

All development in the CG 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)~~ (7/2025)
- B. *Design standards.* Unless specifically modified by provisions in this section, buildings located within the CG zone shall comply with the development standards in section 2.315. A caretaker's dwelling shall comply with the design standards in section 2.314. (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.* A minimum of ten percent 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 combined maximum building and parking area coverage shall not exceed 90 percent. (5/98)

2.113. INDUSTRIAL BUSINESS PARK (IBP)

Sec. 2.113.06. Development standards.

- A. *Design standards.* Unless specifically modified by provisions in this section, buildings located within the IBP zone shall comply with the development standards in section 2.315. (5/98)
- B. *Location standards.* (5/98)
 - 1. Each IBP district shall have direct access onto an arterial or collector street. (5/98)
 - 2. Access to a local street abutting the district shall not be permitted from any lot within the IBP district, except that access may be permitted to a local street if 75 percent of the property is zoned industrial or designated industrial in the Keizer Comprehensive Plan along both sides of the street for a distance of 600 feet from the center line of a proposed access in both directions along the street, or for the distance from said centerline to the next intersecting arterial or collector street in both directions, whichever is less. (5/98)
 - 3. Calculation of the percent of industrial property shall be based upon the street frontage of properties having frontage on the local street within the described distance of the centerline of the proposed access. (5/98)
 - 4. The zoning administrator may require street right-of-way and improvements for streets abutting or within the IBP district in accordance with the development code, except that for local streets to which access is not allowed under 2 above, the zoning administrator may only require right-of-way dedication, and not improvements. (5/98)
- C. *Height.* Within the IBP district buildings and structures erected, altered or enlarged shall not exceed 100 feet in height, except for the area within 50 feet of any residential zone where the maximum height shall be 15 feet. (5/98)
- D. *Lot area and dimensions.* There are no minimum lot area requirements in an IBP district. (5/98)
- E. *Yards adjacent to streets.* Within an IBP district:
 - 1. Along the full extent of each lot line adjacent to a street, there shall be a required yard 20 feet in depth. (5/98)
 - 2. Setbacks for accessory building and structures, except fences, shall be the same as for primary buildings. (5/98)
 - 3. No parking will be allowed in required yards. (5/98)
 - 4. No buildings or structures except transit shelters approved by the Salem Area Transit District shall be permitted in a required yard adjacent to a street. (5/98)
- F. *Yards adjacent to other districts.* (5/98)
 - 1. Where an IBP district within the Keizer Station Plan abuts any other district, except another I district, directly or across an alley, there shall be a required yard 40 feet in depth adjacent to the lot line separating the IBP district from the abutting district. (5/98)
 - 2. Where an IBP district not within the Keizer Station Plan abuts any other district, except another I district, directly or across an alley, there shall be a required yard 15 feet in depth, plus one foot of depth for each foot of building height over ten feet, adjacent to the lot line separating the IBP district from the abutting district. (5/98)

3. Where an IBP district within the Keizer Station Plan abuts another I district, directly or across an alley, there shall be a required yard 20 feet in depth adjacent to the lot line separating the IBP district from the abutting district. (5/98)
 4. No buildings or structures shall be permitted in a required yard adjacent to an abutting district. (5/98)
 5. All parking shall be set back at least 20 feet from the lot line separating the IBP district from the abutting district. (5/98)
 6. Driveways shall be set back at least 20 feet from the lot line separating the IBP district from the abutting district, except where the driveway provides direct access to the abutting property or to a street. (5/98)
- G. *Side and rear yards.* Notwithstanding section 2.113.05.F, there are no side or rear yard requirements in the IBP district except:
1. As may be required for a yard adjacent to another district as defined above. (5/98)
 2. Where a side or rear yard is not required but is provided it shall:
 - a. Be at least ten feet in depth;
 - b. Not include buildings, structure, parking or driveways; and
 - c. Be landscaped. (5/98)
 3. Driveways and accessways shall set back at least ten feet from property lines, except where the driveway or accessway provides direct access to an adjacent street, or where a common driveway is provided along a lot line between two separately owned properties. In case of the latter exception, at least ten feet of landscaped yard shall exist parallel and along each side of the common driveway. (7/06)
- H. *Lot coverage.* Each lot within an IBP district shall have a least 20 percent of its gross area landscaped; that portion of the required yards, which are landscaped, may be included in the calculation to meet the 20 percent landscaped area. (5/98)
- I. *Open storage.*
1. Open storage of materials and equipment is prohibited in required yards but is otherwise permitted, provided that such storage is enclosed with a sight-obscuring fence, wall or berm at least six feet in height, or a sight-obscuring hedge no less than four feet in height and capable of obtaining a height of six feet within two years, any of which shall be located on the property at the required set back line in the same manner as if such berm, fence, wall, or hedge were a building. (5/98)
 2. Materials and equipment stored as permitted in this section shall be no more than 14 feet in height above the elevation of the storage area. (5/98)
- J. *Landscaping.*
1. Landscaping shall meet the requirements of the Keizer Development Code as well as the following requirements. (5/98)
 2. Required yards shall include the following plant materials: (5/98)

Number of Plant Units or Square Feet of Living Ground Cover
Per 1,000 Square Feet of Landscaped yard

<i>Plant Type</i>	<i>Boundary of IBP District</i>	<i>Other Locations</i>
Trees	2	1
Shrubs	5	3
Evergreens and conifers	1	

Living ground cover	500 sq. ft.	500 sq. ft.
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3. Plant units shall be distributed not less than two units per each 100 linear feet of boundary or lot line and each ten feet of depth. (5/98)
 4. Plant units meeting the above standards shall also be planted and maintained in any planting strip or area within the public right-of-way adjacent to a use. Trees within the planting strip shall be in conformance with city standards for street trees. (5/98)
- K. *Off-street parking and loading.* ~~Within an IBP district, all uses shall meet the requirements of the parking chapter of the Keizer Development Code as well as the additional requirements of this section: (7/2025)~~
1. *Parking.*
 - a. All provided parking shall be set back at least ten feet from all interior property lines. (5/98) (7/2025)
 - ~~b. Transit stop(s) approved, as to location, design and construction, by the Keizer Area Transit District may satisfy five percent of the parking space requirements for building sites located within 400 feet of any such transit stop(s). (5/98)~~
 - ~~c. A ride-sharing program approved by the director of public works may satisfy five percent of the parking space requirements. (5/98)~~
 - ~~d. Bicycle parking at a ratio of one bicycle space for each 20 vehicle parking spaces may satisfy three percent of the parking space requirements. (5/98)~~
 2. *Loading.*
 - a. All loading spaces shall be screened from adjacent property by a sight-obscuring fence, wall, hedge, or berm at least four feet in height. (5/98)
 - b. Loading docks and loading doors shall be screened from the street by landscaping and shall be offset from driveway openings. (5/98)
- L. *Lighting.* Exterior lights fixtures shall be so located and designed that the light source, viewed by an observer five feet above the ground and five feet outside the boundary of the IBP district, shall within 50 feet of the base of the light standard be either:
1. Completely shielded from direct view; or (5/98)
 2. Not greater than five footcandles. (5/98)

2.114. GENERAL INDUSTRIAL (IG)

Sec. 2.114.07. Development standards.

All development in the IG zone shall comply with the applicable provisions of this ordinance. The following includes referenced items as well as additional development requirements and recommendations: [\(7/2025\)](#)

- A. *Off-street parking.* Parking ~~shall be~~ as specified in section 2.303. [\(5/98\)](#) [\(7/2025\)](#)
- B. *Design standards.* Unless specifically modified by provisions in this section, buildings located within the IG zone shall comply with the development standards in section 2.315. A caretaker's dwelling shall comply with the design standards in section 2.314. (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.* A minimum of ten percent 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 combined maximum building and parking area coverage shall not exceed 90 percent. (5/98)
- I. *Open storage.* Open storage of materials used for the manufacture or assembly of goods, and equipment, is prohibited in required yards but is otherwise permitted, provided that such storage is enclosed with a sight-obscuring fence, wall, hedge, or berm a minimum of eight feet in height. (5/98)

2.115. AGRICULTURAL INDUSTRIAL (AI)

Sec. 2.115.07. Development standards.

All development in the AI zone shall comply with the applicable provisions of this ordinance. The following includes referenced items as well as additional development requirements and recommendations: [\(7/2025\)](#)

- A. *Off-street parking.* Parking ~~shall be~~ as specified in section 2.303. [\(5/98\)](#) [\(7/2025\)](#)
- B. *Nonresidential subdivisions and partitions.* Land divisions shall be reviewed in accordance with the provisions of section 2.310. (5/01)
- C. *Design standards.* Unless specifically modified by provisions in this section, buildings located within the AI zone shall comply with the development standards in section 2.315. (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 ten percent 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 combined maximum building and parking area coverage shall not exceed 90 percent. (5/98)
- I. *Open storage.* (5/98)
 - 1. Open storage of materials used for the manufacture or assembly of goods, and equipment, is prohibited in required yards but is otherwise permitted, provided that such storage is enclosed with a sight-obscuring fence, wall, hedge, or berm a minimum of eight feet in height. (5/98)
 - 2. Materials and equipment stored as permitted in this section shall be no more than 14 feet in height above the elevation of the storage area. (5/98)
 - 3. Landscaping shall screen open storage over six feet in height above the elevation of the storage area. (5/98)
- J. *Easement/waiver.* As a condition of approval of any building permit or land use action in the AI zone, and as a precondition of any occupancy permit, the property owner shall sign and cause to be recorded in the real property records of Marion County a document granting an easement and a waiver of claims with regard to impacts from the Willow Lake Wastewater Treatment Plant. Such easement/waiver shall be approved by the city attorney and be in substantially the same form as that attached to that certain Willow Lake Settlement Agreement executed by Salem, Marion County and Keizer. The recorded easement/waiver shall also be referenced on the plat of any partition, subdivision or PUD. (5/01)

2.116. PUBLIC (P)

Sec. 2.116.06. Development standards.

All development in the P zone shall comply with the applicable provisions of this ordinance. The following includes referenced items as well as additional development requirements and recommendations: [\(7/2025\)](#)

- A. *Off-street parking.* Parking ~~shall be~~ as specified in section 2.303. ~~(5/98)~~ [\(7/2025\)](#)
- B. *Subdivisions and partitions.* Land divisions shall be reviewed in accordance with the 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. *Signs.* Signs shall conform to the requirements of section 2.308. (5/98)
- E. *Accessory structures.* Accessory structures shall conform to requirements in section 2.313. (5/98)
- F. *Landscaping.* A minimum of 20 percent of the property shall be landscaped, including all required yards. Landscaped areas shall be landscaped as provided in section 2.309. (5/98)
- G. *Lot coverage.* The combined maximum building and parking area coverage shall not exceed 80 percent. (5/98)
- H. *Open storage.* Open storage of materials used for the manufacture or assembly of goods, and equipment, is prohibited in required yards, but is otherwise permitted, provided that such storage is enclosed with a sight-obscuring fence, wall, hedge, or berm a minimum of eight feet in height. (5/98)

2.118. URBAN TRANSITION (UT)

Sec. 2.118.03. Conditional uses.

The following uses may be permitted, subject to obtaining a conditional use permit (see section 2.118.04): (9/19)

- A. For parcels one-half acre or larger, any permitted use listed in the most restrictive zone in this zoning ordinance that can be applied in the applicable comprehensive plan designation, subject to meeting the criteria in section 3.103.03, as well as section 2.118.04. (9/19)
- B. Commercial and industrial activities in conjunction with farm or forest use occurring on the same parcel. (9/19)
- C. Use of a mobile home as a temporary hardship dwelling, subject to section 2.406. (5/98)
- D. Child foster home for six, seven or eight children, providing such home: (6/99)
 - 1. Is properly accredited by the Council on Accreditation of Child and Family Programs; (6/99)
 - 2. Be located on a lot of no less than 16,000 square feet; (6/99)
 - 3. The lot shall be located on an arterial or major collector street; (6/99)
 - 4. Shall be no less than 2,400 square feet in size, excluding attached garages, carports, patios, and all unfinished space; (6/99)
 - 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; (6/99)
 - ~~6. Shall have usable paved off-street parking for no less than six 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; (6/99)~~
 - ~~67.~~ At least one-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 eight 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 six 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; (6/99)
 - ~~78.~~ Is not located within one-half 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. (6/99)

All child foster homes shall meet all applicable laws and regulations, including, but not limited to, applicable building codes. (6/99)

Sec. 2.118.08. Other development standards.

All development in the UT zone shall comply with the applicable provisions of this ordinance. The following includes referenced items as well as additional development requirements and recommendations: (7/2025)

- A. *Off-street parking.* Parking ~~shall be~~ as specified in section 2.303. ~~(5/98)~~ (7/2025)
- 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 UT 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)
- 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 percent 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 percent. (5/98)

2.119. GENERAL EMPLOYMENT (EG)

Sec. 2.119.12. Development standards.

A. Height, setback, coverage, and landscaping requirements. (7/06)

Development Type	Building Standards		Building Setbacks				Minimum Landscaping
	Maximum Height	Maximum Lot or Parcel Coverage	Street Side		Side/Rear Not Adjacent to Residential zone	Adjacent to Residential zone	Percentage of Lot or Parcel Area
			Min	Max			
Commercial (2.119.05 & .06)	100 ft. (1)	85% (2)	10 ft.	20 ft. (3)	None	40 ft.	15% (5)(6)
Industrial (2.119.03 & .04)	100 ft./15 ft. within 50 of any residential zone (1)	80% (2)	10 ft.	None	None	40 ft.	20% (5)(6)

(1) *Height exceptions.* Exceptions to the maximum height standard are stated below.

- Projections allowed. Chimneys, flag poles, satellite receiving dishes, and other items similar with a width, depth, or diameter of five feet or less may rise ten feet above the height limit, or five feet above the highest point of the roof, whichever is greater. If they are greater than five feet in width, depth, or diameter, they are subject to the height limit.
- Rooftop mechanical equipment. All rooftop mechanical equipment must be set back at least 15 feet from all roof edges that are parallel to street lot lines. Elevator mechanical equipment may extend up to 16 feet above the height limit. Other rooftop mechanical equipment which cumulatively covers no more than ten percent of the roof area may extend ten feet above the height limit.
- Radio and television antennas, utility power poles, and public safety facilities are exempt from the height limit.

(2) *Maximum lot coverage allowed for buildings, accessory structures and paved parking.*

(3) *Alternative maximum setback option for large commercial uses.*

- Purpose.* The intent of these regulations is to allow significantly deeper street setbacks for very large retail stores locating along transit street or street in a pedestrian district in exchange for a pedestrian and transit-friendly main street type of development. These large commercial sites can still be transit-supportive and pedestrian-friendly by placing smaller commercial buildings close to the street and by creating an internal circulation system that is similar to streets to separate the parking area into blocks. The intent is to encourage development that will, over time, form a pedestrian-friendly main street along the perimeter of the parking blocks. (2/03)
- Regulation.* Commercial buildings that exceed 100,000 square feet of floor area are exempt from the maximum setback requirements identified in section 2.119.10.A, provided the pedestrian system connects buildings on the site to all adjacent properties. (2/03)

- (4) *Landscaping.* All required yards, except driveways, are required to be landscaped; that portion within the required yard, which is landscaped, may be included in the calculation to meet minimum landscape area requirements. Landscaping shall meet all applicable standards identified in section 2.309 of the Keizer Development Code. In addition to landscaping provisions identified in section 2.309, landscaping for properties within the EG zone shall be defined as follows: (7/06)

Landscaped area must be native or non-native trees, vegetation, ponds, rocks, ground cover, bark chips, cinders, terraces, vegetable or flower gardens, trellises, pathways, or structural features, including, but not limited to, fountains, reflecting pools, outdoor art work, screen walls, fences and benches, which reasonably requires and continues to reasonably require human management to distinguish the area from a natural area. (7/06)

Within the EG zone, landscape area requirements may be determined by the city council to have a portion of landscaped or streetscaped area within the right-of-way to be included within the minimum landscape area requirement. (2/03)

- (5) *Streetscaping.*

- a. "Streetscaping" is defined as pedestrian-oriented improvements to property. "Streetscaping" may include, but is not limited to, walkways with varied materials (other than plain concrete or asphalt), art features, water features, planters, benches, hanging plant baskets, and plazas. (7/06)
- b. In accordance with section 3.113 (Keizer Station Master Plan), at the time of master plan approval by the council, the council may determine if streetscaped areas may be included in the minimum landscape area for a proposed development. (9/18)

- (6) *Parking.*

- a. *Averaging.* KSP areas are master planned and as such are designed to be both planned and developed as a whole. Shared parking is encouraged in master planned areas. ~~Therefore, parking within the KSP areas, subject to a master plan, shall be deemed to meet the maximum and the minimum parking requirements set forth in the city's Code so long as a parking plan is approved that contains a total number of parking spaces which is neither above the aggregate maximums nor below the aggregate minimums which result when parking requirements for the individual uses within the parking plan are calculated separately and the resulting maximums and minimums are totaled.~~ (7/06) (7/2025)
- b. ~~Modify or waive off-street parking standards. The applicant may request a modification 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 carpool use; and adjacent on-street parking. The parking study is subject to review and approval or modification by the city.~~ (7/06)

- B. *Design standards.* All development in the EG zone shall comply with applicable standards in section 2.315 of the Keizer Development Code, in addition to the standards below: (7/06)

1. Exterior display, storage, and work activities.

- a. Exterior display and storage is allowed. Exterior display and storage shall not be located within required setbacks nor required landscaped areas. Exterior display and exterior storage areas shall not be located within 100 feet of any property line within 60 feet of a residential zone. (2/03)
- b. Exterior work activities are allowed in the areas identified for industrial development. Exterior work activities shall not be located within required setbacks nor required landscaped areas. Such exterior work activities shall not be located within 100 feet of any property line within 60 feet of a residential zone. (2/03)

2. All development must comply with the applicable standards identified in the Keizer Development Code, including, but not limited to, the following: (1/23)

Section 2.125	Activity Center Overlay Zone
Section 2.3	General Development Standards
Section 2.301	General Provisions
Section 2.302	Street Standards
Section 2.303	Off-Street Parking and Loading
Section 2.305	Transit Facilities
Section 2.306	Stormwater Management
Section 2.307	Utility Lines and Facilities
Section 2.308	Signs
Section 2.309	Site and Landscaping Design
Section 2.310	Development Standards for Land Divisions
Section 2.312	Yard and Lots Standards
Section 2.315	Development Standards
Section 2.4	Special Uses

2.130 RIVER-CHERRY OVERLAY DISTRICT (RCOD)

Sec. 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. (12/19)

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. (12/19)

A. Dimensional standards.

1. Minimum lot dimension requirements. (6/22)

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

Zone	Dimension	Townhouse	Single-Family Detached & Duplex	Triplex	Quadplex & Cottage Cluster	Multifamily
MU	Lot size	1,500 sq. ft.	3,000 sq. ft.	5,000 sq. ft.	7,000 sq. ft.	None (use density only)
	Average width	20 feet	30 feet	30 feet	30 feet	(defer to underlying zone)
RM	Lot size	1,500 sq. ft.	3,000 sq. ft.	5,000 sq. ft.	7,000 sq. ft.	None (use density only)
	Average width	20 feet	30 feet	30 feet	30 feet	(defer to underlying zone)
RS	Lot size	1,500 sq. ft.	3,500 sq. ft.	5,000 sq. ft.	7,000 sq. ft.	N/A
	Average width	20 feet	35 feet	35 feet	35 feet	N/A

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. (12/19)

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

Zone	Minimum Landscaping	Maximum Lot Coverage (1)
MU	Commercial: 10%	Commercial: 90%
	Mixed use: 15%	Mixed use: 85%
	Residential: 15%	Residential: 85%
RM	15%	85%

RS	15%	85%
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(1) Lot coverage standards do not apply to cottage cluster development. (6/22)

2. *Residential density.* The minimum and maximum density for subdivisions, partitions, multifamily or any residential development shall be as follows: (6/22)

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 (4)
RM	8 or 10 units per acre (3)	14 or 24 units per acre (3)(4)
		25 units per acre for townhouses
RS	6 units per acre	10 units per acre (4)
		25 units per acre for townhouses

(1) Accessory residential housing units are included in the minimum density calculations but are not included in the maximum density calculations. (7/21)

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

(3) For property designated medium density in the comprehensive plan, the minimum density shall be eight 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 ten units per acre; the maximum density shall be 24 units per acre.

(4) Maximum density does not apply to duplexes, triplexes, quadplexes, or cottage cluster housing. (6/22)

3. *Off-street automobile parking requirements.* (12/19)

a. *Applicability.* (12/19)

- i. ~~The provisions of this~~This section shall apply to new development or redevelopment in the RCOD, as defined in section 2.130.03. ~~(12/19)~~ (7/2025)
- 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.~~ (12/19) (7/2025)

b. *Off-street automobile parking requirements*(12/19). Off-street parking, when provided, shall not be provided in the amount ~~not less or more than the minimum and maximum~~ amounts listed below. ~~(12/19)~~ (7/2025)

Table 2.130.05-4: ~~Minimum and~~ Maximum Off-Street Parking Requirements ~~(6/22)~~ (7/2025)

Land Use Activity	Spaces Required
Recreation facility	Minimum: 1 space per 300 sq. ft.
	Maximum: 1 space per 133 sq. ft.
Personal services	Minimum: 1 space per 400 sq. ft.
	Maximum: 1 space per 233 sq. ft.
Retail	Minimum: 1 space per 400 sq. ft.
	Maximum: 1 space per 200 sq. ft.

Eating/drinking establishment	Minimum: 1 space per 200 sq. ft.	
	Maximum: 1 space per 83 sq. ft.	
Single-family, duplex, triplex, quadplex, townhouse, cottage cluster	Minimum: 1 per dwelling unit	
	Maximum: 3 spaces per dwelling	
Single-family dwellings having their access via an access easement, on a street restricting on-street parking, or a flag lot (7/21)	Minimum: 2 per dwelling unit	
	Maximum: 3 per dwelling unit	
Multifamily 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 spaces 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. (12/19)~~

~~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. (12/19)~~

4. *Flexibility for mixed use development.* (12/19) 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: (12/19)
 - a. One new housing unit shall be provided for each existing housing unit that is displaced by the redevelopment of the site. (12/19)
 - b. Buffering and screening shall be provided between any multifamily, mixed use, or nonresidential uses developed on-site and any adjacent residentially zoned parcel, pursuant to KDC section 2.309.05. (12/19)
- C. *Standards for accessory residential housing.* (12/19) 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 (Accessory Dwelling Unit), the standards set forth in this subsection shall control. (6/23)

1. *Number of dwelling units.* Up to two accessory housing units are permitted per lot. If two units are proposed, one of the units shall be attached. If one unit is proposed, that unit may be attached to, or detached from the primary residence. (12/19)
2. *Parking.* No ~~additional~~ parking is required for the accessory housing unit. Existing parking ~~required~~ for the primary residence must be maintained or replaced on-site following development of accessory housing units. ~~(12/19)~~ (7/2025)

Sec. 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. (12/19)

A. Dimensional standards in centers.

1. Minimum and maximum front yard setback requirements. (12/19)
 - a. The following front yard setback standards apply to multifamily, commercial, and mixed use development on properties fronting on River Road, Lockhaven Drive, Chemawa Road, and Cherry Avenue within designated centers: (12/19)

Table 2.130.09-1: Front Yard Setback Standards in Centers

<i>Zone</i>	<i>Front Setbacks</i>	<i>Multifamily</i>	<i>Commercial or Mixed Use</i>
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 zero-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 six-foot setback is required. (12/19)
- (2) The maximum setback may be extended to 20 feet for up to 50 percent of the building façade 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. (12/19)
- (3) Nonresidential development in the RM zone shall be subject to the same minimum and maximum setback standards as multifamily development. (12/19)

- 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. (12/19)

B. Development standards in centers.

1. *Minimum landscaping and maximum lot coverage in centers.* (12/19) 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. (12/19)

Table 2.130.09-2: Minimum Landscaping and Maximum Lot Coverage Standards in Centers (12/19)

Zone	Minimum Landscaping	Maximum Lot Coverage
MU	Commercial: 5%	Commercial: 95%
	Mixed use: 10%	Mixed use: 90%
	Residential: 10%	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 a total of 25 percent if the applicant can demonstrate the following: (12/19)~~

- ~~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 percent reduction to the standard number of automobile parking spaces based on the level of amenities provided. This reduced parking allowance shall replace, not supplement, the ten percent allowance provided in KDC section 2.303.06.B. (12/19)~~
- ~~b. A transportation demand management (TDM) plan is in place that will demonstrably reduce parking demand. The parking reduction percentage shall be determined by the zoning administrator based on the TDM plan. (12/19)~~
- ~~c. Residential uses are targeted to populations with demonstrably lower parking needs (e.g., low-income households, seniors, etc.) or the site is developed with affordable housing reserved for those earning incomes at or below 80 percent of the area median income (AMI). Allow up to a ten percent reduction to the number of automobile parking spaces. (12/19)~~
- ~~d. The site has dedicated parking spaces for carpool or vanpool vehicles. Allow up to a five percent reduction to the standard number of automobile parking spaces. (12/19)~~
- ~~e. The site has at least 15 percent of its dedicated parking spaces for motorcycles, scooters, or electric carts. Allow up to a 20 percent reduction in the minimum required dimensions for up to five percent of the parking spaces. (12/19)~~
- ~~f. 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. (12/19)~~
- ~~g. An EV charging station is provided. Allow up to a five percent reduction. (12/19)~~
- ~~h. Use of shared parking facilities on one or more lots. This provision is not subject to the 25 percent maximum reduction. 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: (12/19)~~
 - ~~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 sections 2.130.05.B.3.b and 2.303; (12/19)~~
 - ~~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 Recorder's Office against all properties involved; (12/19)~~

~~iii. Shared parking spaces must be within 300 feet of the uses, structures or parcels sharing such parking. (12/19)~~

~~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. (12/19)~~

~~3. Parking in mixed use projects in centers. (12/19)~~

~~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). (12/19)~~

~~b. The required minimum vehicle parking shall be determined using the following factors: (12/19)~~

~~i. Uses above the ground floor. The minimum parking requirement shall be 50 percent of what is required for the use pursuant to section 2.303. (12/19)~~

~~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 area of use with the highest peak demand. (12/19)~~

~~iii. Ground floor uses with overlapping peak hours of operation shall be calculated in the aggregate. (12/19)~~

~~c. Primary use, i.e., that with the largest parking demand within the development, at 100 percent of the minimum vehicle parking required for that use in sections 2.130.05.B.3.b and 2.303. (12/19)~~

~~d. Secondary use, i.e., that with the second largest parking demand within the development, at 90 percent of the vehicle parking required for that use in sections 2.130.05.B.3.b and 2.303. (12/19)~~

~~e. Subsequent use or uses, at 80 percent of the vehicle parking required for that use(s) in sections 2.130.05.B.3.b and 2.303. (12/19)~~

24. *Standards for auto-oriented uses and development. (12/19)*

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: (12/19)

i. Gasoline service stations (section 2.419). (12/19)

ii. Drive-through windows or car service associated with eating and drinking places. (12/19)

iii. Vehicle sales and secondary repair (section 2.420). (12/19)

iv. Public utility structures and buildings. (12/19)

v. Recreational vehicle parks (section 2.412). (12/19)

vi. Structured automobile parking not associated with an allowed use. (12/19)

vii. Automotive dealers. (12/19)

viii. Automotive rental and leasing, without drivers. (12/19)

ix. Automotive repair shops (section 2.420). (12/19)

x. Automotive services, except repair (section 2.420). (12/19)

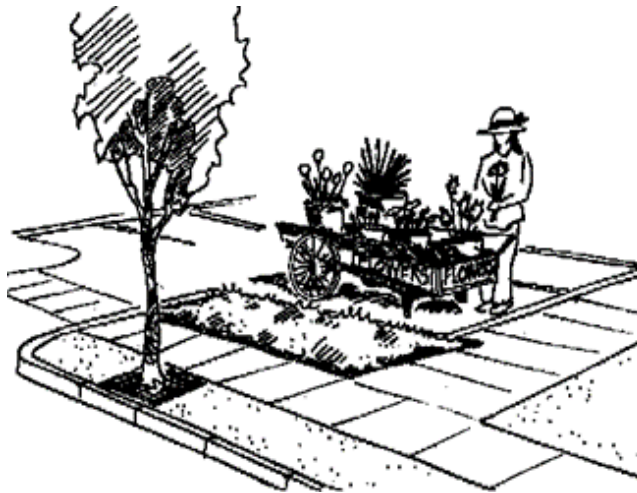
- xi. Utilities; secondary truck parking and material storage yard. (12/19)
- b. Auto-oriented uses and development in centers may be permitted, subject to obtaining a conditional use permit. Applicants must demonstrate how the proposed development either limits or mitigates the safety and aesthetic 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. (12/19)

2.203. PERMITTED USES GENERALLY

Sec. 2.203.04. Permitted temporary uses.

The following temporary uses shall be permitted, subject to the following limitations and requirements:

- A. *Permitted activities.* Outdoor tree or fireworks sales are permitted in all zones except residential. Amusement and recreational service (SIC 799) and retail sales and services from a vehicle or temporary structure are permitted in all permitting zones, except residential, as a secondary use; however, houses of worship on arterial or collector streets may conduct any temporary use as described in this section. (2/01)



1. The uses are otherwise permitted to be outdoors in the zone. (5/98)
 2. The activity is located on the same lot for no more than 90 days in any calendar year. (5/98)
 - ~~3. The required parking for the primary uses on the same lot is not reduced below ordinance requirements. (5/98)~~
 34. The use does not block driveways, driveway entrances or parking aisles. (5/98)
 45. The activity conforms to all signage requirements in section 2.308. (5/98)
 56. The activity conforms to all setback requirements applicable to the lot and zone. (5/98)
 67. The operator of a temporary use shall provide the required information, pay the applicable fee, obtain and display the required temporary business permit. (5/98)
 78. The operator of a temporary use shall obtain all permits required by other agencies, including those required for food handling and sales, and the sale of fireworks. (5/98)
- B. *Temporary construction facilities.* Mobile offices, temporary power equipment and temporary structures to house personnel and store equipment during construction, provided the structures are not used as dwellings. (5/98)
- C. *Produce stands.* Temporary roadside stands in conjunction with a farm use, provided:
1. Sales are limited to produce grown in the vicinity with at least 51 percent of the produce is grown on the premises. (5/98)
 - ~~2. One off-street parking space is provided for each 100 square feet of floor area. (5/98)~~

23. The roadside stand is operated for no more than six months in any calendar year and only between official sunrise and sunset. (5/98)
- D. *Yard sales and auctions.* Yard sales in any residential zone, and auctions in commercial and industrial zones, provided there are not more than three sales in a calendar year with each sale not to exceed three consecutive days. Merchandise and signs shall remain on private property. (5/98)
- E. *Additional permitted temporary uses.* The city council may, by resolution, authorize additional permitted temporary uses during a specific event or festival. This may include setting forth reasonable types of uses, appropriate zones for such uses, temporary signs and any time restrictions the council finds necessary to protect the health, safety and welfare of the public. (5/04)
- F. *Temporary use of containers.* The temporary use of a portable storage container may be permitted, provided that the portable storage container is placed in a driveway, parking lot, or other paved surface area. A container must be placed on private property and cannot encroach or interfere with any sidewalk, public right-of-way, access way, or vision clearance area. A portable storage container may not be placed anywhere on a lot or parcel more than a total of 30 days in a calendar year. (3/12)

2.303. OFF-STREET PARKING AND LOADING

Sec. 2.303.01. Purpose.

The purpose of this section is to provide standards to ensure adequate areas for ~~the parking,~~ maneuvering, loading and unloading of vehicles and bicycles for all land uses in the City of Keizer. ~~(12/15)~~ (7/2025)

The provision of a minimum number of off-street parking spaces for vehicles is not a requirement of this Code. However, when provided, off-street vehicle parking spaces and areas are subject to applicable City codes and standards, including the standards in this Section. (7/2025)

Sec. 2.303.02. Scope.

~~The provisions of I~~ this section shall apply to the following types of development: ~~(5/98)~~ (7/2025)

- A. *New building.* Any new building or structure erected after the effective date of this ordinance. (5/98)
- B. *Expansion.* The construction or provision of additional floor area, seating capacity, or other expansion of an existing building or structure. (5/98)
- C. *Change in use.* A change in the use of a building or structure which ~~proposes would require~~ additional parking spaces or off-street loading areas ~~under the provisions of this section.~~ ~~(5/98)~~ (7/2025)

Sec. 2.303.03. General provisions off-street parking and loading.

- A. *Owner responsibility.* The ~~provision and~~ maintenance of off-street parking and loading spaces ~~are is a~~ continuing obligation of the property owner. Building or other permits will only be issued after receipt of plans that show the location of parking facilities that are designed consistent with the applicable standards. (7/2025)

~~No building permit shall be issued until plans are presented that show property that is and will remain available for exclusive use as off-street parking and loading space. The subsequent use of property for which the building permit is issued shall be conditional upon the unqualified continuance and availability of the amount of parking and loading space required by this ordinance. (5/98)~~

- ~~B. *Additional parking required prior to occupancy.* Should the owner or occupant of any lot or building change the use to which the lot or building is used, thereby increasing off-street parking and loading requirements, it shall be unlawful and a violation of this ordinance to begin or maintain such altered use until such time as the increased off-street parking and loading requirements are observed. (7/06)~~
- ~~C. *Interpretation by administrator.* Requirements for types of buildings and uses not specifically listed herein shall be determined by the zoning administrator based upon the requirements of comparable uses listed and expectations of parking and loading need. The zoning administrator shall have the authority to make adjustments based on parking demand analysis prepared by an applicant. (7/06)~~
- ~~D. *Combined uses.* In the event several uses occupy a single structure or parcel of land, the total requirements for off-street parking shall be the sum of the requirements of the several uses computed separately, unless a reduction is approved for shared parking pursuant to subsection 2.303.05. (5/98)~~
- ~~BE. *Use of parking spaces.* Required P parking spaces shall be available for the parking of operable passenger automobiles of residents, customers, patrons or employees only and shall not be used for storage of vehicles or materials, including solid waste collection containers. Garages for single-family and duplex dwelling units shall not be counted in determining required parking spaces. (5/98) (7/2025)~~
- CF. *Drainage.* All new parking areas and expansion of existing parking areas shall provide a storm drainage system to dispose of runoff generated by the impervious surface. Provisions shall be made for the appropriate on-site collection, storage, conveyance, and treatment of drainage water. All development shall

be designed and constructed to prevent sheet flow of such water onto sidewalks, public rights of way, and abutting properties. The drainage system shall be approved by Keizer Public Works Department prior to construction and shall be constructed in accordance with the city's storm water management regulations. (9/17)

Sec. 2.303.04. Location and use provisions.

Off-street parking and loading areas ~~which shall be are~~ provided ~~on the same lot with the main building or structure or use except that are~~ subject to the following standards: ~~(5/98) (7/2025)~~

- ~~A. Residential zone. In any residential zone, automobile parking areas may be located on another lot if the lot is within 200 feet of the lot containing the main building, structure or use and a parking agreement is recorded. A copy of such recorded agreement shall be provided to the city. Tandem parking (stacking no more than two cars end to end in a private drive way) shall be an acceptable method of meeting parking requirements. (9/17)~~
- ~~B. Nonresidential zone. In any nonresidential zone, the parking area may be located off the site of the use if it is within 500 feet of such site and a parking agreement is recorded. A copy of such recorded agreement shall be provided to the city. (12/15)~~
- AC. Accessory parking use, nonresidential. Parking of vehicles in a structure, or outdoors, is a permitted accessory or secondary use in nonresidential zones. (7/06)
- BD. Accessory parking use, residential. Parking of vehicles in a structure or outdoors is a permitted accessory use in conjunction with a dwelling in any zone, provided: (5/98)
1. All of the vehicles are owned by the owner or lessee of the lot. (5/98)
 2. Vehicles parked outdoors in a residential zone may be parked in a driveway, as regulated herein, and must be located within the front yard meeting the requirements for required parking in this section. (9/17)
 3. Vehicles parked on a lot in a residential zone shall be for the personal use of the occupants of the dwelling. One vehicle used in conjunction with a home occupation or other employment may be parked on the lot, provided it complies with the provisions in section 2.407.G. (12/11)
 4. A parking plan must be approved for all development not served by a public street or for development served by any public street that does not include parking on both sides of the street. The parking plan shall illustrate how minimum parking requirements will be met for all newly created lots.
- CE. Yard parking restrictions. No parking of vehicles, trailers, boats, or recreational vehicles shall be allowed in a front yard except on a driveway. (12/15)
- DF. Storage restrictions. Side and rear yards may be used for storage and parking of vehicles, trailers, boats, and recreational vehicles. Storage and parking areas shall be screened by a six-foot-high fence, wall, or hedge. Storage and parking areas shall be either durable hard surface or gravel surface consistent with the requirements in section 2.413 (recreational vehicle storage—single-family homes). The fence, wall, or hedge shall comply with the provisions regarding the location for fences and maintaining a vision clearance area. (12/15)
- EG. All vehicles are subject to the regulations prohibiting illicit discharge, as governed by applicable city regulations. (9/17)

~~Sec. 2.303.05. Joint use.~~

~~Parking area may be used for a loading area during those times when the parking area is not needed or used. Parking areas may be shared, subject to zoning administrator's approval for commercial and industrial uses where~~

hours of operation or use are staggered such that peak demand periods do not occur simultaneously. Such joint use shall not be approved unless satisfactory legal evidence is presented which demonstrates the access and parking rights of parties. (7/06)

~~Sec. 2.303.06. Off-street automobile parking requirements.~~

~~Off-street parking shall be provided in the amount not less than listed below. (9/17)~~

~~A. — Parking requirements. (6/22)~~

~~*Square footage = Gross floor area. (12/15)~~

~~*Totals shall be rounded up to the next whole number~~

<i>Land Use Activity</i>	<i>Spaces Required</i>
Single-family	2 per dwelling unit
Duplex, triplex, quadplex, townhouse, and cottage cluster	1 per dwelling
Single-family dwellings having their access via an access easement, on a street restricting on-street parking, or a flag lot	3 per dwelling unit
Multifamily types	1 space per 1 bedroom unit + 1 additional space for every 10 units; or
	1.5 spaces per 2 or more bedroom units + 1 additional space for every 10 units
Hotel, motel, bed and breakfast	1 space per guest room
Club, lodge	Combination of uses being conducted: hotel, restaurant, etc.
Hospital	1 space per 2 beds
Nursing home, convalescent home, memory care	1 space per 3 beds
Senior living facility, assisted living facility	To be determined through review process
Health service, medical or doctor's office, nonprofit shelter providing emergency housing and associate services	1 space per 350 square feet
House of worship, auditorium, stadium, theater	1 per 4 seats or every 8 feet of bench length
Park, special event	As determined through conditional use/master plan or city council review
Elementary, middle school	2 spaces per classroom; in addition, 1 space per 350 sq. ft. of administrative office
High school	1 space per classroom; in addition, 1 space per 10 students and 1 space per 350 sq. ft. of administrative office
Family day care provider, day care facility	In addition to required single-family parking:
	1 space for up to 12 children
	2 spaces for more than 12 children
Preschool, nursery	1 space per each employee plus 1 space per room
Bowling alley, skating rink, community center, recreation facility	1 space per 200 square feet
Golf course	4 spaces per green
Tennis courts, racquetball courts	2 spaces per court
Retail store	1 space per 300 square feet
Personal service	1 space per 350 square feet

Service repair center; retail store handling bulky merchandise (e.g., furniture, home furnishing, major equipment), home appliance, television, electronic equipment	1 space per 900 square feet
Dry cleaner	1 space per 1,000 square feet
Laundromat	1 space per 300 square feet
Bank, credit union	1 space per 400 square feet
Office used for real estate, lawyer, insurance brokers	1 space per 500 square feet
General office (non-medical)	1 space per 500 square feet
Eating and drinking establishment	1 space per 125 square feet
Wholesale establishment	1 space per 2,000 square feet
Government offices open to the public	1 space per 500 square feet
Wireless telecommunication facility	1 space per facility
Industrial, manufacturing, processing	1 space per 1,000 square feet
Warehousing and storage terminals	1 space per 2,000 square feet

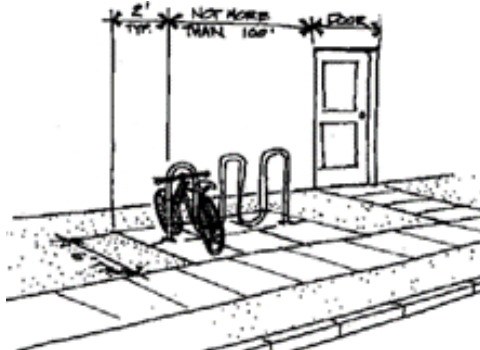
B. *Parking reduction.* The number of minimum required parking spaces may be reduced by up to ten percent if the site is served by transit and transit related amenities, such as transit stops, pull-outs, shelters, park-and-ride lots, are provided or will be provided as part of the development of the site. (12/15)

C. *Parking increase.* The number of minimum required parking spaces shall not be increased by more than 50 percent unless a property owner provides a parking demand analysis which documents that a greater amount is necessary to serve the needs of those who will use the parking facility and is accepted by the community development director. (12/15)

Sec. 2.303.08. Bicycle parking.

A. *Bicycle parking required.* Bicycle parking shall be required in all public and semi-public, commercial, multifamily, and industrial development as well as park-and-ride lots. Bicycle parking shall be based on the amount of automobile parking ~~required~~provided. In addition to a required one bicycle parking space, bicycle parking spaces shall be calculated at five percent of the amount of the automobile parking spaces ~~which are required~~provided and all fractions are rounded up the next whole number. (12/15) (7/2025)

B. *Bicycle parking development requirements.*



1. *Space size.* Each bicycle parking space shall be a minimum of six feet long and two feet wide and be accessible by a minimum four-foot aisle. (5/98)

2. *Location.* All bicycle parking areas shall be within 50 feet of a building entrance and located within a well-lit area. Bicycle parking areas shall be separated by a physical barrier or sufficient distance to protect parked bicycles from damage by automobiles. (12/15)
 3. *Rack design.* Bicycle racks must be designed to secure the bicycle frame and at least one wheel, and, accommodate a locking device. Racks, lockers or other related facilities shall be securely anchored to the ground or to a structure. As an alternative, the bicycle spaces can be provided within a secured compound. Fixed objects which are intended to serve as bicycle parking facilities but which are not obviously designed for such purposes shall be clearly labeled as available for bicycle parking. (12/15)
 4. *Access.* Access to a public right-of-way and pedestrian access from the bicycle parking area to the building entrance must be provided. (5/98)
- C. *Exemptions.* The following uses are exempt from the bicycle parking requirements: (5/98)
1. Seasonal or temporary businesses. (5/98)
 2. Wireless telecommunication facilities, and other utilities. (12/15)

Sec. 2.303.09. Carpool and vanpool parking.

New office or industrial development ~~with providing 100-50~~ or more parking spaces, shall designate ~~at least five percent of the preferential~~ parking spaces for carpool or vanpool parking. These designated spaces shall be the closest parking spaces to the building entrance normally used by employees, with the exception of handicapped parking spaces. The carpool/vanpool spaces shall be clearly marked "Reserved—Carpool/Vanpool Only" along with specific hours of use. ~~Any other use establishing car and vanpool spaces may reduce the minimum parking requirement by three spaces for each carpool/vanpool space created.~~ (5/98) (7/2025)

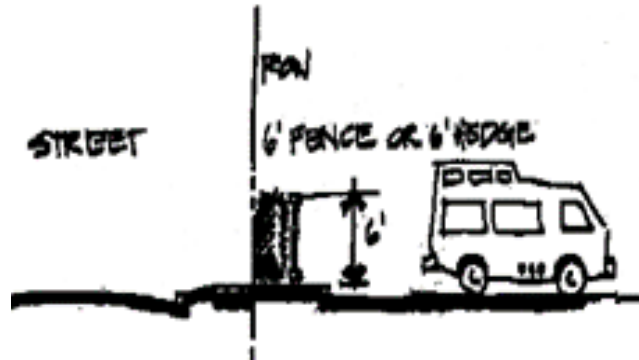
Sec. 2.303.11. Parking and loading area development requirements.

All parking and loading areas shall be developed and maintained as follows:

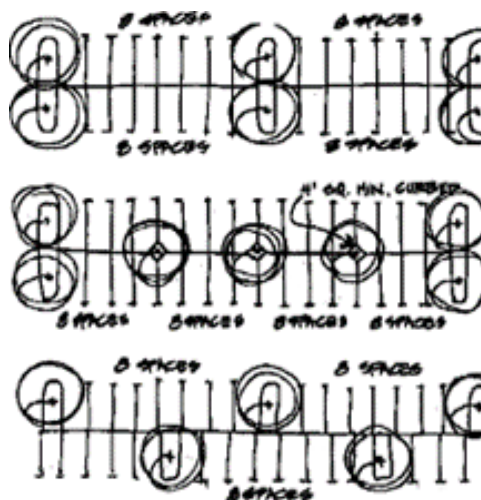
- A. *Surfacing.* All driveways, parking and loading areas shall have a durable, hard, dust-free surface such as asphalt, concrete, or pavers (segmented bricks). Temporary or overflow parking areas may be allowed on a case-by-case basis, subject to public works and community development approval to be exempt from this requirement. "Overflow" is defined as being on an infrequent or occasional basis and is in addition to parking that already exists on the site. "Temporary" is less than two years in duration. (12/15)
- B. *Parking spaces.*
 1. *Dimensions.* Head-in parking spaces shall be a minimum nine feet wide and 18 feet in length. Parallel parking spaces shall be a minimum nine feet wide and 22 feet in length. (9/17)
 2. *Compact spaces.* Compact parking spaces, at a reduced width of 8.5 feet and 16 feet in length, shall be permitted on sites with more than five parking spaces. No more than 30 percent of the required parking shall be compact spaces and each space must be identified as a compact space. (12/15)
- C. *Aisle dimensions.* (9/17) The following minimum aisle dimensions shall apply: (5/98)
 1. Without adjacent parking (drive aisle): (9/17)
 - a. Single-family residence: 12 feet.
 - b. One-way: 12 feet.
 - c. Two-way: 22 feet.
 2. With adjacent parking: (9/17)

Parking Angle	Aisle Width	
	One-Way	Two-Way
0 to 40	14 feet	24 feet
41 to 70	16 feet	24 feet
71 to 90	24 feet	24 feet

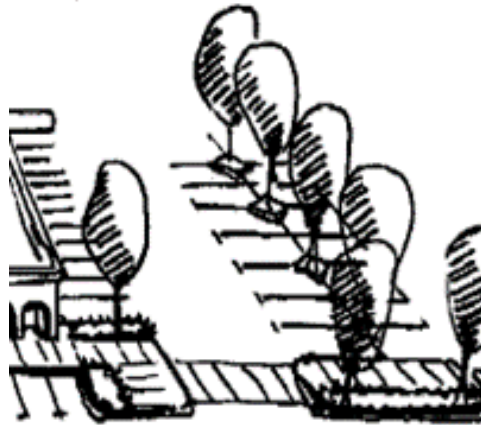
- D. Screening. When any parking or loading area abuts a residential zone, the parking or loading area shall be screened or buffered as is required in section 2.309.05. (7/06)



- E. Lighting. All lighting shall be directed entirely onto the loading or parking area and away from any residential use. The lighting shall not cast a glare or reflection onto the public rights-of-way and shall provide appropriate shielding so the light source is not visible from any public right-of-way or adjacent residential property. (9/17)
- F. Landscaping.
- Parking lot landscaping should be designed to provide shade, reduce storm water runoff, and direct traffic. Incorporation of approved stormwater quality facilities in landscaped areas is encouraged. (9/17)



- One tree shall be planted for every eight linear parking spaces. The planting space shall measure no less than four feet square and be contained by appropriate methods to ensure landscaping materials are kept in place, and vegetation is protected from vehicle maneuvering and parking areas. Trees may be planted in clusters to screen or buffer the development if approved in the landscaping plan. (9/17)



3. Trees shall be of a species that the root system will not interfere with underground utilities or the parking surface and must be capable of achieving a minimum 15-foot canopy radius. (9/17)
4. All trees must be planted in proximity to proposed parking areas. At a minimum, one-third of the diameter of each proposed mature tree canopy shall provide shade and overlap the parking area. (9/17)
5. Trees may be planted within a storm drainage area subject to public works review and approval, provided the selected tree species will not adversely impact the function of the storm drainage facility. (9/17)
6. Trees shall be a minimum two inch caliper at the time of planting, of a suitable species, and be healthy with no visible damage. (9/17)
- G. Traffic flow. Service drives to off-street parking areas shall be designed and constructed to allow flow of traffic, provide maximum safety of traffic access and egress and the maximum safety of pedestrians and vehicular traffic on the site. (5/98)
- H. Entrance/exits. Service drive exits shall have a minimum vision clearance area of 15 feet from the intersection of the street and driveway. (5/98)
- I. Bumper rails. Parking spaces along the outer boundaries of a parking area shall be contained by a curb or a bumper rail to prevent a motor vehicle from extending over an adjacent property, a street, or a sidewalk. The bumper shall be at least four inches high and located a minimum of three feet from the property line. (5/98)
- J. Existing development may redevelop a portion of existing parking areas ~~in order~~ to accommodate or provide transit-related amenities such as transit stops, pull-outs, shelters, and park-and-ride stations. ~~The number of parking spaces may be reduced by up to ten percent of the minimum required parking spaces for that use. (7/09)~~ (7/2025)

2.311. PLANNED UNIT DEVELOPMENT DESIGN STANDARDS

Sec. 2.311.03. Development standards.

- A. *Common open space.* A minimum of 20 percent of the gross area shall be devoted to common open space, and at least ½ of the common open space must be managed in a natural state or developed with high-quality vegetation, as defined in section 2.311.05(B)(6). The common open space shall be designated on the development plan and must comply with the provisions in section 2.311.05. (4/17)
- B. *Lot area.* The minimum lot area, width, depth, frontage, and yard requirements otherwise applying to individual lots in the zone in which a planned unit development is proposed do not apply within a planned unit development and do not require a concurrent variance to vary from the requirements in the underlying zone. (4/17)
- C. *Accessibility.* All lots or buildings shall be able to access open space or recreation areas from within the planned unit development. Access may be by roadway or pedestrian/bicycle access way. (5/98)
- D. *Structure setback provisions.* Street-side, garage entrance, and building setbacks for lots on the perimeter of the planned unit development shall be the same as that required for the underlying zoning district. Detached structures shall have no minimum side yard setback but must meet the Oregon State Building Code requirements. Otherwise, the minimum setbacks of the underlying zone do not apply. (4/17)
- E. *Attached dwellings.* Buildings sharing common walls are permitted within a planned unit development. (5/98)
- F. *Height.* The maximum building height shall not exceed the building height in the underlying zone in which the planned unit development is proposed, except that a greater height may be approved if surrounding open space within the planned unit development, building setbacks, and other design features are used to avoid adverse impact of the greater height. (4/17)
- G. *Street dedication.* Except for private streets allowed under section 2.302, all streets shall be dedicated to the public. (4/17)
- H. *Streets.* All streets shall be designed and constructed as specified according to its appropriate street classification as identified in section 2.302. (4/17)
- I. *Parking.* Parking ~~will be required~~ in accordance with the provisions of section 2.303. ~~(10/02)~~ (7/2025)
- J. *Walkways.* Sidewalks shall be developed in accordance with applicable provisions in section 2.302. The overall plan for the planned unit development shall include an acceptable pedestrian circulation system and must demonstrate compliance with current pedestrian safety standards. (4/17)
- K. *Utilities.* Development of the property shall comply with utility and storm drainage provisions as outlined in the public works departments design standards and constructions specifications. (4/17)
- L. *Homeowners association.* A homeowners association shall be required and is subject to the provisions in section 2.311.06. (4/17)

2.314 STANDARDS FOR SINGLE-FAMILY DWELLINGS, DUPLEXES, TRIPLEXES, QUADPLEXES, COTTAGE CLUSTERS, AND TOWNHOUSES

The following standards will be applied to all single-family dwellings, duplexes, triplexes, quadplexes, cottage cluster developments, and townhouses whether modular or manufactured homes, or site-built homes, to be constructed or located in RS, RL, RM, MU or UT zones: (6/22)

- A. All single-family homes, duplexes, triplexes, quadplexes, and townhouses shall have at least one primary building façade or entrance oriented towards the front lot line or the street. Single-family homes, duplexes, triplexes, quadplexes, cottage cluster developments, and townhouses shall incorporate at least five of the following design features to provide visual relief along the front of the home: (6/22)
1. Dormers; (5/98)
 2. Gables; (5/98)
 3. Recessed entry; (10/15)
 4. Covered porch with front door entry facing the front lot line; (10/15)
 5. Cupolas; (5/98)
 6. Pillars or posts; (5/98)
 7. Bay or bow windows or window shutters; (10/15)
 8. Eaves (minimum six-inch projection); (5/98)
 9. Offsets on building face or roof (minimum 16 inches). (5/98)
 10. Window(s) facing the street or access easement have a minimum area of not less than 24 square feet. (10/15)
 11. A significant variation of three different building materials, the least of which shall be ten percent of the façade (stone, wood, siding, shakes, etc.). (10/15)

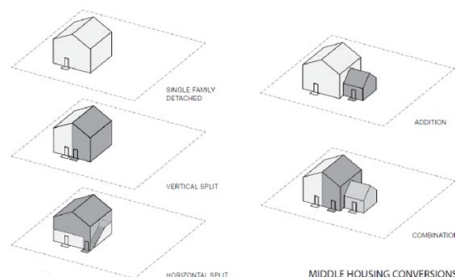


- B. Garages and carports. When garages and carports are provided they shall meet the following: (10/15)
1. Garage doors and carport openings facing the street shall not account for more than 50 percent of the dwelling façade that faces the street. (10/15)
 2. Garage doors on lots less than 8,000 square feet must be recessed from the front plane of the house at least five feet or mitigated with additional design features as set forth below. These are in addition to the features required in section 2.314(A) above: (10/15)
 - a. If garage door is even with or recessed less than five feet from the front building plane then one additional design feature from the design feature listed below is required. (10/15)

- b. If garage door protrudes five feet or less from the front building plane then two additional design features from the design feature listed below is required. (10/15)
- c. If garage door protrudes more than five feet from the front building plane, then three additional design features from the design feature listed below is required: (10/15)

Design Feature (Garages and Carports)

- Trellis in front of the garage. (10/15)
 - Projections (such as pillars, posts, stonework, brick work) over, or at each side of the garage doors. Projections shall be a minimum of eight inches in depth. (10/15)
 - Additional gables, including one above the garage. (10/15)
 - Windows in garage door. (10/15)
 - Decorative garage doors which incorporate architectural design elements such as stable doors etc. (10/15)
 - Landscaping which includes a variety of trees and other planting materials to visually mitigate the garage, which is in addition to required landscaping. (10/15)
 - Added architectural feature(s) using materials, textures, and/or design features in the plane of the garage. (10/15)
 - Decorative hardscape features which may be either horizontal and/or vertical and include a variety of materials and textures, such as stamped concrete, pavers, bricks, columns, significant ornamental rocks, etc. (10/15)
- C. Middle housing conversions. A conversion from a single-family home to a duplex, triplex, quadplex, or cottage cluster is allowed. The following requirements and standards apply: (6/22)
- A. The converted housing type is a permitted use in the underlying zone. (6/22)
 - B. ~~With the exception of minimum parking requirements, the~~The conversion of the existing single-family home does not create or increase nonconformance with applicable development and design standards. ~~(6/22)~~ (7/2025)
 - C. The conversion is exempt from additional design requirements and public facility improvements. (6/22)
 - D. The conversion is subject to the city's building permit review and approval process. (6/22)



2.403. ACCESSORY DWELLING UNIT

Sec. 2.403.02. Detached accessory dwelling unit.

A detached accessory dwelling unit shall meet the following use and development standards: (6/23)

- A. *Location.* Except as allowed below, a detached ADU shall be located within the side or rear yard and physically separated from the primary residence by a minimum distance of five feet. A covered walkway, which contains no habitable space, may connect the two buildings without violation of the setback requirements. (6/23)
- B. A detached ADU may be located in the front yard only if approved through an alternative design review process as specified in section 3.101.01. If located in the front yard, including conversion of or adding a second story to an existing front yard accessory structure or garage, the applicant must show that the design of the ADU will be compatible with the surrounding neighborhood and adjoining properties through architectural features, landscaping and orientation, as well as meeting the requirements set forth below. (6/23)
- C. *Parking.* No ~~additional~~ off-street parking is required. If provided, the following standards apply: ~~(6/23)~~ (7/2025)
 - 1. Modification to any existing driveway approach will require public works approval. The width of the existing driveway approach cannot be increased in excess of the public works standard. (6/23)
 - 2. No separate driveway is permitted, unless allowed by the public works director. (1/19)
 - 3. All driveways and parking areas shall have a durable, hard, dust-free surface built to City of Keizer public works standards. (6/23)
- D. *Design.* The detached ADU must be residential in character and must incorporate a minimum of three design features for single-family dwellings found in section 2.314.A unless blocked from the street view by the primary building. A separate address shall be required for each residence. (6/23)
- E. *Area.* The ADU shall be no larger than 750 square feet in interior living space. Non-habitable areas must meet the standards found in section 2.313. (6/23)
- F. *Setbacks and height.* The minimum rear yard setback shall be five feet for a one-story structure and ten feet for a two-story structure, unless located on an alley in which case the setback shall be one foot; the minimum side yard setback shall be five feet. The maximum height allowed is 25 feet. (6/23)
- G. *Ownership.* A detached ADU under this section shall not be separated in ownership under the provision of ORS chapter 94 or any other law or ordinance allowing unit ownership of a portion of a building. (1/19)
- H. *Dwelling units.* The lot shall contain no more than two dwelling units and there must be no more than one total ADU per lot, unless the lot is located within the River-Cherry Overlay District (RCOD) and in accordance with section 2.130. ADUs are not included in minimum or maximum density calculations. (6/23)
- I. *Newly constructed detached garage or accessory building.* An ADU is allowed to be built as a second story to a detached garage or accessory building. Ground floor building footprint is limited to the requirements found in section 2.313.01.E. (6/23)
- J. *Building conversion.* Conversion of an accessory structure to a detached ADU is allowed, subject to the following standards: (6/23)

1. The area of the detached ADU is limited to a maximum of 750 square feet of interior living space regardless of the total area of the existing structure. Any additional square footage may only be used for non-dwelling purposes. (6/23)
 - a. For a single-story building: If the existing building is set back less than three feet from an adjacent property line, a maintenance easement agreement must be obtained prior to conversion to allow for ongoing access and maintenance of the structure. (6/23)
 - b. For a two-story building: Setbacks and height of the building must conform to section 2.403.02F. (6/23)
 - c. Conversion of an existing legal nonconforming accessory structure to a detached ADU is allowed, provided the conversion does not increase the nonconformity. (6/23)

2.405. MANUFACTURED HOME PARKS

Sec. 2.405.03. Design standards.

Manufactured home parks are subject to the minimum standards and conditions set forth in this section. (5/98)

- A. *Type of manufactured home permitted.* Only those manufactured homes used as permanent residences, manufactured after June 15, 1976, which exhibit the Oregon Department of Commerce Insignia of Compliance that indicates conformance with housing and urban development (HUD) standards shall be permitted. (5/98)
- B. *Design standards.*
 - 1. *Size.* All manufactured homes shall be at least 20 feet wide with a minimum square footage of 864 square feet. (5/98)
 - 2. *Siding and roofing.* Manufactured homes shall have siding materials, including skirting if applicable, similar to that presently used on houses constructed under the Uniform Building Code. A wood shingle, composition or shake roof is required with a minimum 2:12 slope. (5/98)
- C. *Additions to manufactured homes.* Carports, cabanas, ramadas, awning and other structures that are attached to a manufactured home shall conform to building code requirements. These additions and structures shall be considered as a part of the manufactured home for determining the lot coverage, setbacks and other requirements. (5/98)
- D. *Manufactured home space.* The minimum area shall be 3,000 square feet with a minimum space width of 40 feet. Spaces within 15 feet of the boundary of a manufactured home park shall contain a minimum of 4,000 square feet. The boundaries of each manufactured home space shall be clearly marked by a fence, landscaping or by permanent markers. (5/98)
- E. *Manufactured home space coverage.* No more than 50 percent of a space shall be occupied by the manufactured home and any accessory structures. (5/98)
- F. *Separations and setbacks.* Building separations and setbacks from the park boundary for mobile homes, accessory structures, and buildings shall be as follows. (5/98)
 - 1. *General park development.* Setbacks for structures other than manufactured homes, carports and related accessory buildings shall comply with the minimum residential setbacks in the underlying zone. (5/98)
 - 2. *Manufactured homes.* (5/98)
 - a. Front: five feet minimum to the sidewalk; eight feet minimum to the curb.
 - b. Side and rear: ten feet minimum to any adjacent manufactured home; six feet minimum to any adjacent nonresidential structure.
 - c. Park boundary. Manufactured homes on the periphery of a manufactured home park shall maintain the same setbacks as required for the rear yard in the underlying zone. (5/98)
 - 3. *Accessory structures.* (5/98)
 - a. Front: five feet minimum to the sidewalk; eight feet minimum to the curb. (5/98)
 - b. Side and rear: six feet minimum to any adjacent manufactured home or adjacent nonresidential structure. (5/98)

- c. Park boundary. Accessory structures on the periphery of a manufactured home park shall maintain the same rear yard setbacks for accessory structures in the underlying zone. (5/98)
- 4. *Carports.* (5/98)
 - a. Front: 20 feet minimum to the sidewalk. (5/98)
 - b. Side and rear: Carports attached to, or within three feet of, the manufactured home shall comply with the setbacks for the manufactured home. Otherwise, the setback provisions for accessory structures shall apply. (5/98)
 - c. Connecting garages: When a double carport or garage is built to serve two adjacent manufactured homes, a minimum six-foot separation shall be required between the double carport and any adjacent structure, manufactured home, or accessory structure. Alternatively, a one-hour fire separation may be provided through the center of the double carport. (5/98)
- ~~G. *Parking.* Two automobile parking spaces shall be required for each manufactured home space. Parking spaces may be designed end-to-end, side-to-side, or provided in off-street parking areas. (5/98)~~
- GH. *On-site storage.* Outdoor storage of furniture, tools, equipment, building materials, or supplies belonging to the park management shall be screened with a six-foot sight-obscuring fence, wall or hedge. (5/98)

2.407. HOME OCCUPATIONS

The purpose of a home occupation is to allow residents an opportunity to use their homes to engage in small-scale business activities. The standards outlined below are to ensure that home occupations are conducted as a lawful use subordinate to the residential use of the property. Where permitted as a special use, a home occupation shall meet the following use and development standards: (12/11)

- A. *Operations.* The owner/operator of the home occupation(s) shall reside in the home in which the home occupation is conducted. No more than one outside employee shall be permitted per residence. (12/11)
- B. *Compatibility.* The home occupation(s) shall be continuously conducted in such a manner as not to create any off-premises nuisance, public or private, including, but not limited to, noise as outlined in the city's noise ordinance, odors, vibration, fumes, smoke, fire hazard, or electronic, electrical, or electromagnetic interference. This includes uses occurring within the residence, garage, or accessory structure, and also any equipment, such as, but not limited to, air compressors or refrigerator trucks that may be used as part of the home occupation. (12/11)
- C. *Signs.* Signs shall comply with all sign code regulations, including the provisions in section 2.308.08.G(1) of this ordinance. (12/11)
- D. *Location.* The home occupation(s) shall be conducted entirely within the dwelling, an attached garage, or in an unattached accessory building. (12/11)
- E. *Area.* The total floor area devoted to the home occupation(s) shall not exceed 500 square feet. Any structural additions to the dwelling or accessory structure shall be consistent with zoning regulations and shall not result in the change of the primary use of the structure. (12/11)
- F. *Alterations.* Structural alterations are permitted consistent with section 2.314 and provided the residential character of the building is not altered nor will result in the change of the primary use of the structure as the residence. (12/11)
- G. *Parking.* ~~The number of required on-site parking spaces shall not be reduced; however, no additional parking is required.~~ If the home occupation(s) requires an outside employee that will stay on-site, then an additional off-street parking space is recommended, consistent with section 2.303 shall be provided. One motor vehicle plus a trailer that is used in conjunction with a home occupation may be parked on the lot. No single vehicle or trailer that is associated with a home occupation may have a gross vehicle weight rating of more than 16,000 pounds. ~~(12/11)~~ (7/2025)
- H. *Hours of operation.* Visits by suppliers or customers are limited to the hours of 8:00 a.m. to 8:00 p.m. (12/11)
- I. *Outdoor storage.* Outdoor storage or display of materials, equipment, or merchandise shall be prohibited. On-site storage of hazardous materials (including toxic, explosive, noxious, combustible or flammable) beyond that which is normally incidental to residential use is prohibited. (5/98)
- J. *Prohibited activities.* (5/98)
 - 1. Vehicle repair. Repair of vehicles, including automobiles, motorcycles, tractors, recreational vehicles, boats, and similar mechanized equipment, shall be prohibited. Repair of vehicles includes, but is not limited to, mechanical repair, vehicle service, body work and painting. (12/11)
 - 2. Retail or wholesale sales of a product or good(s) on the site. This prohibition does not apply to operation of a mail order business where customers do not come to the site or to retail sales that are incidental to the occupational use, such as, but not limited to, beauty products from salons, sheet music from music teachers, or computer software for computer consultants. (12/11)

3. The home occupation shall not be used for the assembly of more than two nonresident employees engaged primarily in work off-site of the home occupation location. (12/11)
- K. *Day care provisions.* The provisions in this section do not apply to day care facilities or family day care providers. (4/16)

2.412. RECREATIONAL VEHICLE SPACES AND PARKS

Where permitted, recreational vehicle spaces or parks shall meet the following use and development standards: (5/98)

- A. Definitions. For the purpose of this section, the following definitions shall apply: (5/98)
1. Recreational vehicle. A unit, with or without motive power, which is designed for human occupancy and intended to be used for recreational or temporary living purposes. "Recreational vehicle" includes: (5/98)
 - a. 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)
 - b. 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)
 - c. 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)
 - d. 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 pickup truck. (5/98)
 - e. Boat, licensed or unlicensed, including trailer. (5/98)
 - f. All-terrain vehicle (ATV). (5/98)
 2. Recreational vehicle park. Any area operated and maintained for the purposes of providing space for overnight use by recreational vehicles. (5/98)
 3. Recreational vehicle space. The area under a parked and occupied recreational vehicle. (5/98)
 4. Except as provided in section 2.423, if a recreational vehicle is used for temporary living purposes for more than 30 days in any calendar year, the space shall be located in a recreational vehicle park. (4/13)
- B. Development and use requirements for recreational vehicle parks. (5/98)
1. With the exception of one mobile home for a caretaker/operator, recreational vehicle parks shall be limited to recreational vehicles, tents and other temporary shelter structures. (5/98)
 2. Access roads shall be paved. (5/98)
 3. One-way access roads and parking spaces shall have an improved width of 12 feet. A 20-foot-wide road is required if parallel parking is allowed on one side. Two-way access roads shall have an improved width of at least 22 feet. (5/98)
 4. The perimeter of the recreational vehicle park shall be surrounded by a six-foot sight-obscuring fence or hedge. (5/98)
 5. Camping supplies and convenience foods may be sold within a building. (5/98)
 6. The entrance shall be designed with adequate parking without blocking two-way access to the designated recreational vehicle spaces. (5/98)
 7. No outdoor recreation facilities shall be used between 10:00 p.m. and 8:00 a.m. (5/98)
 8. All outdoor lighting shall be directed away from adjacent residential properties and public streets. (5/98)

9. A dump station for discharging wastewater holding tanks shall be provided unless each space is equipped with a sewer connection. (5/98)
 10. Except as provided in section 2.423, spaces to be occupied for more than 30 days in any calendar year shall provide on-site electrical, sewer, and water hookups. (4/13)
- C. Requirements for recreational vehicle spaces. (5/98)
1. The space shall have an all-weather surface and be drained to prevent standing water. (5/98)
 2. These spaces shall not be located closer than ten feet to any other spaces or any buildings unless located within a building. (5/98)
 3. The space shall not be located in any ~~required~~ off-street parking space or required yard areas. [~~\(5/98\)~~ \(7/2025\)](#)
- D. For a recreational vehicle referred to in section 2.116.03(E) (recreational vehicles in public zones in conjunction with stadiums), the following use and development standards shall apply instead of subsection C above: (12/98)
1. The recreational vehicle shall be kept in good condition and repair and attractive at all times, as determined by the city manager and public works department or their designee. (12/98)
 2. The recreational vehicle shall be used and occupied only by caretaker/security personnel for protection and maintenance of the stadium. (12/98)
 3. The recreational vehicle space shall be paved with asphalt or concrete of a size able to completely accommodate the recreational vehicle being parked with an additional two feet of paving on each side and the end of the recreational vehicle. (12/98)
 4. The recreational vehicle space shall have a sewer connection approved by the City of Salem. (12/98)
 5. The connection from the recreational vehicle to the sewer connection shall be by hard pipe only. No flexible hoses shall be allowed. (12/98)
 6. The connection between the recreation vehicle and the sewer connection shall be approved by the City of Keizer Public Works Department and shall be drip-tight. (12/98)
 7. The water connection shall be a hose approved for recreational vehicle use and shall include an atmospheric vacuum breaker pursuant to the Uniform Plumbing Code to prevent back-siphoning. (12/98)
 8. The location of the recreational vehicle space shall be approved by the Keizer Public Works Department and the applicable fire district. (4/13)
 9. The recreational vehicle and recreational vehicle space shall be placed and used in conjunction with all applicable public works, development, health, fire, building, and other applicable regulations. (12/98)

2.413. RECREATIONAL VEHICLE STORAGE—SINGLE-FAMILY HOMES

Where permitted as a special use in conjunction with a single-family residence, the development of recreational vehicle storage space shall meet the following use and development standards: (5/98)

- A. *Space limitation.* Each residence in the RS zone shall be limited to one RV storage space ~~in addition to permitted off-street parking~~. Permitted off-street parking may be used to store recreational vehicles. ~~(5/98)~~ (7/2025)
- B. *Location.* The RV space shall be located in either the side or rear yard, or in the front yard in accordance with section E below. (5/98)
- C. *Surfacing.* The space shall have an all-weather or gravel surface and be drained to prevent standing water. (12/15)
- D. *Screening.* A space located closer than ten feet to an adjacent property line shall be screened by a six-foot sight-obscuring fence, wall or hedge. (5/98)
- E. *Parking in a front yard.* No RV, boat, or similar recreational vehicle shall be parked in a front yard other than on a driveway or in an enclosed area as described in section 2.303.04. No driveway shall be widened to more than 36 feet to accommodate an RV (2.303.04.D). No RV shall be parked so as to intrude into the public right-of-way. (12/15)
- F. *Recreational vehicle use.* One recreational vehicle can be used for temporary living purposes, provided that the recreational vehicle is parked on an RV space consistent with the provisions in this chapter. In addition, a recreational vehicle can be used for temporary living purposes for no more than 30 total days during any calendar year. (4/13)

2.423. HOUSES OF WORSHIP

Where permitted as a special use, houses of worship shall meet the following use and development standards: (5/98)

- A. *Location.* Houses of worship shall be located adjacent to designated collector or arterial streets. (5/98)
- B. *Side and rear setbacks.* In or abutting every residential zone or use, 20 feet. (5/98)
- C. *Landscaping.* All required yard areas shall be landscaped. (5/98)
- D. *Off-street parking.* ~~No off-street parking areas shall be permitted not be located~~ within a required yard area or within ten feet of a residential zone or use. ~~For houses of worship not located on an arterial street, no more than 100 off-street spaces shall be provided. Building size and seating capacity may be limited by the maximum number of parking spaces allowed in this subsection and that effect is intended. These provisions shall not justify a variance. (5/98) (7/2025)~~
- E. *Screening of off-street parking.* Where any portion of an off-street parking area is within 15 feet of a lot zoned or used for residential purposes, the perimeter of the parking area facing such residential zone or use shall be screened by a sight-obscuring fence, wall, or hedge. (5/98)
- F. *Street access.* Unless permitted by the city, no more than two vehicle access driveways per street frontage shall be permitted. (5/98)
- G. *Bus storage.* Storage of buses used to transport the congregation is permitted if buses are not parked closer than 20 feet to a lot in a residential zone. (5/98)
- H. *Recreational vehicle use.* Temporary use of one recreational vehicle is permitted, provided that the recreational vehicle is screened by a six-foot-tall sight-obscuring fence from any adjacent lot that is in a residential use or zone. A recreational vehicle can be used for temporary living purposes for no more than 90 total days during any calendar year. The same or a different recreational vehicle may be parked on the property for temporary living purposes, so long as the maximum number of days in a calendar year is not exceeded. (4/13)

2.427. WIRELESS TELECOMMUNICATION SYSTEM**Sec. 2.427.07. Standards for siting WTS facilities shall be as follows. (3/10)**

- A. All WTS facilities shall observe minimum lot size, lot coverage, building height and building setback requirements of the underlying zoning district unless specifically exempted or otherwise regulated by this section. Underground facilities may encroach upon required yards or may be placed in appropriate easements. (3/10)
- B. All WTS facilities including electronic equipment shall be screened by a six-foot-high sight-obscuring fence, wall, or hedge. If a fence or wall is provided, it shall be landscaped around the perimeter of the fencing. All lighting shall be deflected away from adjoining properties, with the exception of lighting which is required by the FAA. (3/10)
- C. Any WTS facility shall receive FCC approval. (3/10)
- ~~D. All WTS facilities shall provide a minimum of one off-street parking space or a parking plan may be provided that can show how maintenance vehicles will be accommodated. (3/10)~~
- DE. All equipment cabinets, boxes, etc., shall be painted consistent with the color requirements in section 2.315. (3/10)
- EF. All WTS facilities located within a public right-of-way shall adhere to the following: (3/10)
 - 1. Use an existing utility or light pole. If it is not possible to use an existing utility or light pole, a new pole may be provided so long as it is connected to the existing utility pole system so that it appears to be an integral part of that utility system and does not jeopardize the integrity of the pole. In no case may either a new pole or an extension to an existing utility pole be 25 feet higher than the existing utility poles or ten feet higher than a light pole. (3/10)
 - 2. A franchise agreement and/or other regulation with the city shall be required prior to the operation of any WTS within the city's right-of-way. (3/10)
 - 3. Where a WTS is proposed in the city's right-of-way where utilities are located underground, no new utility poles are permitted. (3/10)
 - 4. Equipment cabinets associated with the operation of a WTS facility may not be placed within the right-of-way. They shall be placed on private property, subject to private property owner's permission, and shall comply with the fencing requirements in section 2.309 and accessory structure requirements in section 2.313 for determining setback requirements. (3/10)
- FG. For a WTS facility abutting residential zoning districts, the setback from the property line shall be determined by calculating the difference between the height of the tower and the underlying height allowed within the zone district (for example, if the height of tower is 75 feet and underlying zone allows a maximum height of 50 feet then the setback is 25 feet). In no case shall the setback be less than 25 feet. (3/10)
- GH. For a WTS facility abutting nonresidential property lines, the setback shall be determined by calculating one-half the difference between the height of the tower and the underlying height allowed within the zone district (for example, if the height of tower is 75 feet and underlying zone allows a maximum height of 50 feet, then the setback is 12.5 feet). (3/10)
- HI. A WTS facility that is abandoned shall be removed within 90 days of abandonment. Failure to remove an abandoned WTS within this timeframe is hereby declared a nuisance and shall be subject to abatement under the provisions of local and state law. (3/10)
- IJ. Proposed WTS on existing water towers shall be designed so as to be unobtrusive and to minimally extend above the height of the tower. (3/10)

- JK. Collocation is required where feasible pursuant to generally accepted engineering practices. Collocation shall not be considered infeasible due solely to cost. (3/10)
- KL. WTS shall not create or emanate noise which can be heard on any abutting or adjacent property. (3/10)

2.432. COTTAGE CLUSTER DEVELOPMENT

Sec. 2.432.03. Site requirements.

- A. *Ownership options.* Cottage cluster developments may be on a single lot under single ownership, or cottage units may be on individual lots that are individually owned. Cottage clusters are eligible for middle housing land divisions which would create individual lots for each unit and allow for fee simple ownership of the individual cottages and land they sit upon. Common ownership of or easements for the use of common areas or facilities still would be needed. (6/22)
- B. *Development standards.*
1. *Parent parcel.* The parent parcel, which shall encompass the entire cottage cluster development, shall be at least the minimum lot size established for cottage clusters in the underlying zone (7,000 square feet). The parent parcel may be divided into individual cottage lots and shared common areas consistent with the city's regulations or with middle housing land division standards and requirements. (6/22)
 2. *Cottage lots.* There is no minimum lot size for the individual cottage lots.
 3. *Density.* Cottage cluster development must meet a minimum density of four units per acre. There is no maximum density for cottage clusters. (6/22)
 4. *Average minimum lot width and depth.* There is no minimum lot width or depth for the individual cottage lots. (6/14)
 5. *Maximum lot coverage.* There is no maximum lot coverage for the individual cottage lots or a cottage cluster parent lot. (6/22)
 6. *Maximum height.* 25 feet. (6/14)
 7. *Minimum setbacks.* See the setback standards for underlying residential zone. Interior units on a common lot or separate lots shall be spaced at least ten feet apart. If individual lots are created, the applicant may create a zero lot line configuration between units to maximize usable private area and provide privacy. (6/22)
 8. *Minimum landscape requirement.* The standards from the base zone shall apply. (6/14)
- C. *Lot/cottage arrangement.* (6/14)
1. Cottage cluster developments shall contain a minimum of three cottages and no more than eight cottages per common open space. (6/22)
 2. Cottages shall be arranged around a common open space, and at least 50 percent of the cottages shall have frontage with a primary entrance on the common open space. Cottages that do not have a primary entrance that faces the common open space must either have their primary entrance face the street or a sidewalk or pedestrian path that is directly connected to the common open space. (6/23)
 3. A community building may be provided adjacent to or at the edge of the central common area as part of the cottage development, or elsewhere on the development site. (6/22)
 4. Cottage cluster developments shall be limited to one cluster with one common space. (6/22)
- D. *Common space.* (6/22)
1. Common space is a defining characteristic of a cottage housing development. A minimum of 150 square feet of common open space per unit shall be provided. (6/22)
 2. The common space shall include a sidewalk or walk connecting to each cottage front entrance facing the common area. (6/14)

3. The common space must be a minimum of 15 feet wide at its narrowest dimension. (6/22)
- E. *Frontage, access, parking, and vehicular circulation.* (6/14)
1. Frontage. The parent parcel shall have frontage on a public street. (6/14)
 2. If individual lots are created within the development, at least two sides of the common area shall be abutted by cottage child lots. (6/22)
 3. Access. Access to individual dwelling units will be provided meeting city and fire district standards. (6/14)
 - ~~4. Parking. A minimum of one off street parking spaces per unit shall be provided. (6/22)~~
 45. Parking and/or garage structures shall not be located: (6/22)
 - a. Within 20 feet from any street property line, except alley property lines. (6/22)
 - b. Between a street property line and the front façade of cottages located closest to the street property line. This standard does not apply to alleys. (6/22)
 56. Shared parking structures and shared parking lots shall be screened from public streets by landscaping or architectural screening that is at least three feet tall. (6/22)
 67. If the property has frontage on a public alley, access and parking may be provided from the alley. (6/14)
 78. If individual lots are created, and shared parking is provided, parking and access shall be provided in a common area with access easement. (6/22)
 89. Individual off-street parking spaces may be allowed for each cottage. (6/22)
- F. *Screening and landscaping.* To ensure that cottage developments do not create adverse visual impacts for residents of both the cottage development and adjacent properties the following requirements shall be adhered to: (6/14)
1. Cottage developments shall retain existing significant trees (at least 12 inches in diameter) that do not pose a safety hazard, as determined by a certified arborist. Significant trees that are removed must be replaced elsewhere on the site, per section 2.309. (6/22)
 2. Common open spaces shall include pathways for pedestrian circulation and access to each cottage and the community building if one is provided. Landscaping in common open spaces must be located and maintained to not block pedestrian pathways. (6/22)
- G. *Fences.* No fence taller than three feet in height shall be located between the front wall of a cottage or community building and the common open space. (6/22)
- H. *Addressing.* All units within the cottage cluster development shall be addressed consistent with city standards. (6/14)

3.113. KEIZER STATION MASTER PLAN

Sec. 3.113.04. Review criteria.

Approval of a master plan for an area of the Keizer Station Plan shall require compliance with the following:
(2/03)

- A. The master plan shall meet the purpose and objectives identified in the Keizer Station Design Plan.
(2/03)
- B. The master plan shall meet the following standards as identified in the Keizer Station Plan in addition to standards within applicable zones: (2/03)
 - 1. Design standards. (2/03)
 - 2. Transportation system standards. (2/03)
 - 3. Utility standards. (2/03)
 - 4. Parking standards. (2/03)
 - 5. Landscape standards. (2/03)

If a conflict exists between standards within the Keizer Station Plan and the Keizer Development Code, the Keizer Station Plan standards shall be applied. (2/03)

- C. Development strategies. (4/10)
 - 1. *Pedestrian access, safety and comfort.* (2/03)
 - a. To ensure safe, direct, and convenient pedestrian circulation, development, shall provide a continuous pedestrian and/or multi-use path system. (4/10)
 - 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. (2/03)
 - c. Pathways with developments shall provide safe, reasonably direct and convenient connections between primary building entrances and all adjacent streets and parking areas. (2/03)
 - 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. (2/03)
 - e. Recessed entries, canopies, and/or similar features shall be used at the entries to a building in order to create a pedestrian scale. (2/03)
 - f. For driveways that service more than 100 parking spaces, shall not have any parking within 25 feet of the driveway intersection. This area shall be landscaped in accordance with section 2.309 of the Keizer Development Code. (4/10)
 - g. The proposal contains an equally good or superior way to achieve the intent of the above criterion and guidelines. (2/03)
 - 2. *Crime prevention and security.* (2/03) Crime prevention shall be considered in the site design through application of all of the following guidelines: (2/03)
 - 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 (2/03)

- 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 (2/03)
- 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 (2/03)
- 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 (2/03)
- e. The proposal contains an equally good or superior way to achieve the intent of the above criterion and guidelines. (2/03)

~~3. *Reduced parking.* (2/03) 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 carpool use; and adjacent on-street parking. The parking study is subject to review and approval or modification by the city. (2/03)~~

34. *Creating and protecting public spaces.* (2/03)

- a. The development provides an appropriate amount of public space as determined by the city council in addition to sidewalks and landscaping. (2/03)
- b. Public space may be a landscaped open space or plaza with pedestrian amenities, as approved by the city council. (2/03)

45. *Human scaled building design.* (2/03) Building façades 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. (2/03)

56. *Request for reallocation of retail square footage limit.* (6/10) The Keizer Station Plan (as amended) allows an applicant to request a reallocation of the retail square footage limits in the context of a master plan. If an applicant is requesting such reallocation, the applicant shall comply with the following criteria: (9/18)

- a. Does not result in significant adverse traffic impacts beyond those mitigated in the Keizer Station Master Plan TIA or that any resulting impacts can be mitigated in order to maintain the level of service and volume/capacity standards in the Keizer Station TIA; (9/18)
- b. The reallocation results in a total limitation of no more than 975,000 square feet for all of the Keizer Station Plan area; (6/10)
- c. Other property owners in the Keizer Station will not be unduly burdened by the direct or indirect effects of the reallocation. (6/10)

- d. Residents and/or property owners in the vicinity of Keizer Station will not be unduly burdened by the direct or indirect effects of the reallocation. (6/10)
- e. Considering all positive and negative impacts overall, the citizens of Keizer will benefit from the reallocation. (6/10)

A reallocation shall not reduce the amount of retail square footage allowed in an approved master plan for a different area without the amendment of the master plan for such different area. (9/18)

EXHIBIT “B”

Findings regarding the adoption of amendments to Keizer Code Appendix A, Sections 1.200.04, 2.102.04, 2.102.06, 2.103.04, 2.103.06, 2.104.04, 2.104.06, 2.105.04, 2.105.06, 2.106.05, 2.107.05, 2.107.07, 2.108.06, 2.109.08, 2.110.07, 2.112.06, 2.113.06, 2.114.07, 2.115.07, 2.116.06, 2.118.03, 2.118.08, 2.119.12, 2.130.05, 2.130.09, 2.203.04, 2.303.01, 2.303.02, 2.303.03, 2.303.04, 2.303.05, 2.303.06, 2.303.08, 2.303.09, 2.303.11, 2.311.03, 2.314, 2.405.03, 2.407, 2.412, 2.413, 2.423, 2.427.07, 2.432.03, and 3.113.04 of the Keizer Development Code (KDC).

The City of Keizer finds that:

1. General Findings.
The particulars of this case are found within Planning file Text Amendment 2025-05. Public hearings were held before the Planning Commission on May 21, 2025 and before the City Council on June 16, 2025. Both the Planning Commission and the City Council voted in favor of the proposed revisions.
2. Criteria for approval are found in Section 3.111.04 of the Keizer Development Code. Amendments to the Comprehensive Plan or Development Code shall be approved if the evidence can substantiate the criteria are met. Amendments to the map shall be reviewed for compliance with all of the listed criteria in Section 3.1104, while text amendments shall only be reviewed for compliance with Section 3.111.04 B, C, and D. Given this is a text amendment, Section 3.111.04 A is not applicable.

3. **Section 3.111.04.B - A demonstrated need exists for the product of the proposed amendment -**

Findings: The proposed revisions to the zone code reflect a demonstrated need. Both the Planning Commission and City Council held public hearings to consider the proposed changes. Ultimately, Council directed staff to prepare an ordinance for adoption of the proposed changes. The Climate Friendly and Equitable Communities Rules requires the City comply with the identified parking reform measures identified in the Oregon Administrative Rules and these proposed changes eliminate minimum parking requirements citywide. Therefore, this proposal complies with this review criterion.

4. **Section 3.111.04.C- The proposed amendment to the Keizer Development Code complies with statewide land use goals and related administrative rules**

FINDINGS: The proposed text amendments comply with the statewide land use planning goals as discussed below.

Goal 1 – Citizen Involvement: The adoption of this ordinance followed notice, a public process involving public hearings, deliberation, and ordinance adoption.

Public notice was provided in the Keizertimes newspaper. Public hearings were held before the Planning Commission and before the City Council. Citizens were afforded the opportunity to participate in the public process. This process is consistent with the provision for providing an opportunity for citizens to be involved in all phases of this proposed planning process as is required by this goal and with implementing administrative rules within Oregon Administrative Rules.

Goal 2 – Land Use Planning: This ordinance amends the Keizer Code, Appendix A (Keizer Development Code). The city has an adopted comprehensive plan acknowledged by the state. The adoption proceeding was conducted in a manner consistent with the Keizer Comprehensive Plan, Keizer Development Code, and applicable state law. The proposed revisions to the Code are consistent with this statewide planning goal and administrative rules.

Goal 3 – Farm Land: The purpose of this goal is to protect lands that are designated for agricultural uses. Within the city limits the Exclusive Farm Use (EFU), Special Agriculture (SA), Urban Transition (UT), and Public (P) allow commercial agricultural uses. However, only the city's SA zone is a state recognized EFU qualifying zone. The changes do not affect farm lands. These provisions do not affect lands that are outside the city limits or any lawful uses occurring on those lands, nor does it amend any of those existing zoning designations. The proposed amendments will comply with the Farm Land Goal and with implementing administrative rules.

Goal 4 – Forest Land: The intent of this goal is to protect lands designated for commercial forest uses. There are no zoning districts specifically designated within the city limits that will allow for commercial forestry. Also, there are no commercial forest lands near, or adjacent to the city limits of Keizer. The amendments do not involve any land which is designated as forest land, nor will it impact the use of any forest lands. The proposed amendments will comply with this Goal and with implementing administrative rules.

Goal 5 – Natural Resources: The intent of the Natural Resources Goal is to protect various natural resources such as wetlands, waterways, big game habitat, etc. The city has a wetland inventory of sites where wetland soils may be present. The city has an adopted Willamette River Greenway Overlay zone to protect resources along the Willamette River. There are no identified big game habitats within the city limits of Keizer. The city established a Resource Conservation overlay zone to maintain, preserve and protect the natural features adjacent to Claggett Creek. The city has storm water regulations to protect water quality of the local water ways consistent with the requirements of the City's National Pollutant Discharge Elimination Permit (NPDES). The proposed amendments will not preclude any of the city's natural resources protection regulations. Nor will the changes preclude the lawful use of any properties that are within the City. Therefore, the proposed text amendments will be consistent with this goal and with administrative rules which implement this goal.

Goal 6 – Air, Water and Land Quality: The intent of this goal is to protect the city’s air, water and land qualities. The city provides its residents with city water from groundwater sources. The quality of the water is monitored to ensure that it complies with all state and federal water quality standards. New construction is required to be connected to the established sanitary sewer system thereby reducing the potential of groundwater contamination from failing on-site septic systems. The city has storm water regulations which are to maintain water quality in the Willamette River and local streams. Land quality is preserved through the city’s erosion control regulations and through zone code development regulations. Air quality is preserved through the city’s development code regulations which limit certain types of uses and are enforced by appropriate state agencies which govern air emission standards. The proposed revisions comply with this goal and with the administrative rules that implement this goal.

Goal 7 – Natural Hazards: The purpose of this goal is to protect life and property from hazards resulting from flooding, steep slopes or other natural occurrences. The city has floodplain regulations that govern the placement of structures within identified 100-year floodplains within the city limits. In Keizer, these are primarily located along the Willamette River and smaller streams such as Claggett Creek. The floodplains have been mapped by the federal government. The intent of the floodplain regulations is to minimize the loss of life and property damage by preventing development, elevating structures above the flood elevation, or flood proofing structures in the floodplain. While there are some steep slopes in the northwest quadrant of the city, there are no mapped areas of steep slopes in Keizer that might warrant any special engineering. The proposed text amendments will neither impact this goal nor any administrative rules pertaining to natural hazards.

Goal 8 – Recreation: This goal requires the city to identify and plan for the current and future recreation needs of the residents of the city. The city has an adopted Parks and Recreation Master Plan that inventories parks, playgrounds, and recreational opportunities within the city limits and plans for the city’s future park and recreation needs. The proposed amendments will have no impact on the recreational activities that occur on any park land within the city and will not impact either this goal or any administrative rules that implement it.

Goal 9 – Economic Development: The intent of this goal is to ensure that the city plans for its overall economic vitality. Current employment needs were projected forward based on regional job growth estimates and target industry goals. The growth forecast calls for a total of 3,774 new jobs over the next 20 years. The adopted Economic Opportunities Analysis found there is a net need for commercial and institutional lands amounting to 63.3 gross acres above and beyond what the City’s remaining buildable employment lands can accommodate. The proposed text amendments will not have any adverse impact on the economic development activities or uses within the city. The modification will eliminate

minimum parking requirements which may allow for additional flexibility for commercial development by allowing additional development area that won't be encumbered by required minimum parking requirements. Therefore, the proposal is consistent with this goal.

Goal 10 – Housing: This goal requires the city to plan and provide for the housing needs of its residents. The proposed revisions do not affect the land supply in any way. The proposed changes do not restrict the ability for residential development, and by eliminating minimum parking requirements, it may allow greater flexibility in site design of certain parcels for additional residential units. Therefore, the proposal is consistent with this goal.

Goal 11- Public Facilities and Services: The intent of this goal is to develop a timely, orderly and efficient arrangement of public facilities and services necessary to serve the residents of Keizer. The city provides its residents with water, an established street system, administrative services and police services. Sanitary sewer service is provided by the city of Salem through an intergovernmental agreement. Fire protection services are provided by the Keizer Fire District or Marion County Fire District #1. There is sufficient capacity in the municipal water delivery system and also within the sanitary sewer treatment system to accommodate planned growth within the upcoming 20-year planning period. The proposed text amendments will not impact any of the city's public facilities and services. Therefore, the revisions will comply with this goal and all administrative rules.

Goal 12 – Transportation: The city has an adopted Transportation System Plan that describes the city's transportation systems. This system includes streets, transit, bike, and pedestrian systems. It inventories the existing systems and contains plans for improving these systems. The proposed text amendment will not affect any transportation facility within the city limits and so is consistent with Section 3.111.05 regarding Transportation Planning Rule compliance. The proposed text amendments will have no adverse impact on the city's transportation systems and will not affect this goal or any implementing rules.

Goal 13 – Energy Conservation: This goal seeks to maximize the conservation of energy. All new construction requires compliance for review to applicable energy conservation standards. The proposed text amendments will have no impact on this goal or any of the implementing administrative rules.

Goal 14 – Urbanization: The intent of this goal to provide for an orderly and efficient transition from rural to urban land use. The city has an adopted Comprehensive Plan and zone code that complies with the goal. The proposed text amendments will affect only land that is within the city limits and will not impact the use of any land being transitioned from rural to urbanized uses and is therefore consistent with this goal.

Goal 15 – Willamette River: This goal seeks to protect, conserve, and maintain the natural, scenic, historical, agricultural, economic and recreational qualities of lands along the Willamette River. The revisions to the city’s development code will have no impact on the ability of the city to regulate uses along the river or the Willamette River Greenway Management overlay zone regulations. Therefore, the proposed amendments are consistent with this goal.

Goal 16 (Estuarine Resources), Goal 17 (Coastal Shorelands), Goal 18 (Beaches and Dunes), and Goal 19 (Ocean Resources) govern areas along the ocean. Since Keizer is not located along the coast these goals are not applicable.

In consideration of the above findings, the proposed zone code revisions comply with all applicable statewide land use goals and with all applicable administrative rules which implement the relevant goal.

5. **Section 3.111.04.D - The amendment is appropriate as measured by at least one of the following criteria:**

- a. It corrects identified error(s) in the previous plan.
- b. It represents a logical implementation of the plan.
- c. It is mandated by changes in federal, state, or local law.
- d. It is otherwise deemed by the council to be desirable, appropriate, and proper.

FINDINGS: The proposed text amendments will revise the Keizer Code. The changes proposed will eliminate minimum parking mandates citywide. Changes to the Oregon Administrative Rules through the Climate Friendly and Equitable Communities rules necessitate this change and are thus mandated by state law. The City Council has, by this adoption, determined the proposed text revisions are appropriate, and proper. As such, staff finds the proposal complies with this criterion.



To: Mayor Clark and City Council Members
Thru: Adam J. Brown, City Manager
From: Bill Lawyer, Public Works Director
Subject: Erosion Control

Proposed Motion

I move that the City Council adopt Ordinance No. 2025-____ Relating to Erosion Control; Amending Keizer Code Chapter 18, Article IV.

I. Summary

After going through the codification process, the City is continuing to identify changes and updates that need to be addressed in the Keizer Code. The proposed Ordinance will adopt the most relevant methods to meet Keizer's National Pollutant Discharge Elimination System (NPDES) Phase II Municipal Separate Storm Sewer System (MS4) stormwater management program.

II. Background

- A. The last time the City updated the Erosion Control Code was in 2014 with Resolution R2014-2516.
- B. The purpose and intent of the Code is to minimize and/or eliminate the amount of sediment and other pollutants reaching the storm drainage systems or waters of the state as a result of construction activities or any other activity which may cause or accelerate erosion and to minimize the disturbance of existing vegetation in order to maximize infiltration of stormwater. The objective is to control erosion and pollution at its source as a means of maintaining and improving water quality and minimizing water pollution, downstream flooding, and wildlife habitat damage.
- C. Updates to the Code are necessary to provide clarity and relevancy to meet our NPDES Phase II permit requirements within the Code and address erosion control regulatory consistency. This proposed update provides a thorough definition section, clarifies the roles of city inspectors vs. site inspectors, and permit requirements and processes were also aligned and resolved. Staff added Public Works Director and designee language throughout. Public Works staff and Legal Department staff aligned the violations, updated the notice process and penalties to create consistency with Chapter 18, Article V, Stormwater Discharge Control, of the Code

and the enforcement action plan for violations of the Code to protect the waters of the state as our permit requires.

III. Current Situation

- A. The proposed update of the Erosion Control Code seeks to provide clear and relevant definitions, requirements and processes to comply with our mandated NPDES Phase II permit requirements.

IV. Analysis

- A. **Strategic Impact** - N/A

- B. **Financial** -

There is no direct financial impact with the adoption of this Ordinance, however, the Department of Environmental Quality (DEQ) has the ability to fine jurisdictions that fall out of compliance with issued permits.

- C. **Timing** -

It is helpful to get this update completed sooner rather than later.

- D. **Policy/Legal** -

City Council approval is required to amend the Keizer Code.

V. Alternatives

- A. Adopt the ordinance and resolution as presented.
- B. Take no action, and the code and resolution will remain in place.

VI. Recommendation

Staff recommends the City Council adopt the updated Chapter 18 Article IV Erosion Control Ordinance of the Keizer Code.

Attachments

1. ORD_PC_Amending Keizer Code Chapter 18 Article IV - Erosion Control_7 7 2025
2. EXH_CC_ARTICLE_IV.____EROSION_CONTROL_7 7 2025

“Agenda Management Services are being supported, in whole or in part, by federal award number 21.019 awarded to City of Keizer by the U.S. Department of the Treasury.”

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A BILL
FOR

ORDINANCE NO.
2025-_____

AN ORDINANCE

RELATING TO EROSION CONTROL; AMENDING KEIZER
CODE CHAPTER 18, ARTICLE IV

The City of Keizer ordains as follows:

Section 1. Keizer Code Chapter 18, Article IV is hereby amended as set forth
in Exhibit A, attached hereto and by this reference incorporated herein.

Section 2. In preparing this ordinance for publication and distribution, the City
Recorder shall not alter the sense, meaning, effect or substance of this ordinance, but
within such limitations, may:

- (a) Renumber sections and parts of sections of the ordinance;
- (b) Rearrange sections;
- (c) Change reference numbers to agree with renumbered chapters, sections or
other parts;
- (d) Delete references to repealed sections;
- (e) Substitute the proper subsection, section or chapter, or other division
numbers;
- (f) Change capitalization and spelling for the purpose of uniformity;
- (g) Add headings for purposes of grouping like sections together for ease of
reference; and

1 (h) Correct manifest clerical, grammatical or typographic errors.

2 Section 3. Each section of this ordinance, and any part thereof, is severable,
3 and if any part of this ordinance is held invalid by a court of competent jurisdiction, the
4 remainder of this ordinance shall remain in full force and effect.

5 Section 4. This Ordinance shall take effect thirty (30) days after its passage.

6 PASSED this _____ day of _____, 2025.

7

8 SIGNED this _____ day of _____, 2025.

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Mayor

City Recorder

ARTICLE IV. EROSION CONTROL

Sec. 18-82. Title, purpose and general provisions.

This article shall be known as the "Erosion Control Ordinance of the City of Keizer" and may be so cited.
(Ord. No. 2014-711, § 1, 12-1-2014)

Sec. 18-83. Purpose and intent.

The purpose and intent of this article is to minimize and/or eliminate the amount of sediment and other pollutants reaching the storm drainage~~stormwater~~ systems or waters of the state as a result of construction activities or, grading, excavating, clearing and any other activity which may cause or accelerate erosion and to minimize the disturbance of existing vegetation in order to maximize infiltration of stormwater~~runoff~~. The objective is to control erosion and pollution at its source as a means of maintaining and improving water quality and minimizing water pollution, downstream flooding, and wildlife habitat damage.

(Ord. No. 2014-711, § 2, 12-1-2014)

Sec. 18-84. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Applicant means the owner of a property or agents or contractors who have applied for a permit pursuant to section 18-86.

Best management practice(s) or BMP's means schedules of activities, prohibitions of practices, general good housekeeping practices, pollution prevention and education practices, maintenance procedures, and other management practices to prevent or reduce the direct or indirect discharge of pollutants to surface waters, storm drainage systems, underground injection systems, or other natural or built stormwater facilities or convenances. The term "BMP's" also include treatment practices, operation and maintenance procedures, and practices to control site runoff, spillage or leaks, sludge or water disposal, or drainage from raw materials storage.

City Inspector means a certified erosion and sediment control lead (CESCL), or approved equal, city staff member designated to examine the plan, control measures, and site conditions to determine compliance and issue the permit.

Clean Water Act means the federal Water Pollution Control Act (33 USC 1251 et seq.) and any subsequent amendments thereto.

Construction activities means any ground disturbing activity, whether or not a permit is required, or any ground-work activities that include, but is not limited to, clearing and grubbing, grading, excavating, paving, building, and demolition; or any activities subject to NPDES Construction permits.

Construction equipment means the equipment, machinery, structures, scaffolding, materials, tools, supplies and systems owned, rented or leased by contractor of its subcontractors or sub-subcontractors for use in accomplishing the work, but not intended for incorporation into the project.

Control measure means any measure designed to prevent or minimize the occurrence of erosion or spills or the movement of sediment, solid or liquid pollutants, or spilled material, or to contain such materials on the project site. The term "control measure" may also include on-site policies and procedures designed to respond to spills or to track plan elements.

Disturbance means any ~~activity that exposes soil~~ action that alters the existing vegetation and/or underlying soil on a site, such as clearing, grading, site preparations (such as cutting or filling), soil compaction, and movement and stockpiling of soils; or any activity that exposes soil to the elements.

Erosion means detachment and movement of soil, rock fragments, mulch, fill or sediment.

Fill means placement of organic or inorganic material.

Guidance manuals means reference manuals to assist with the design and implementation of erosion control and pollution prevention activities.

~~*Inspector* means any certified erosion and sediment control lead (CESCL) certified (or approved equal) or city staff member designated to examine the plan, control measures, and site conditions to determine compliance and issue the permit.~~

Mulch means plant residue, straw, bark, netting, compost, or other material applied to the land surface to conserve moisture, hold soil in place and aid in establishing plant cover.

Ordinary high-water ~~mark~~line means the line on the bank or shore to which the high-water ordinarily rises. The ordinary high-water ~~linemark~~ excludes exceptionally high water~~high-water~~ levels caused by large flood events (e.g., 100-year events).

Permit means the written document issued by the city granting permission to proceed with a project according to the accepted plan.

Permittee means the person who signs the permit, signifying acceptance of responsibility to ensure that project activities comply with this article and are in accordance with the approved plan for the project.

Plan, ~~site plan or erosion sediment control plan (ESCP)~~ means a site-specific drawing produced to illustrate the design, look, function, and/or workings of a project before it is built, constructed or affected. For permitting purposes, the ESCP identified potential sources of pollution, describes practices to reduce pollutants in stormwater~~stormwater~~ discharges from the site, and identifies procedures or controls that the operator will implement to reduce impacts to water quality and comply with applicable permit requirements~~either the construction site pollution prevention plan or the construction site pollution prevention plan B described in section 18-87, depending on the size and location of the project. See section 18-87 for ESCP requirements.~~

~~*Pollution or pollutant* means anything which causes or contributes to pollution. Pollutants may include, but are not limited to: paints, varnishes, and solvents; oil and other automotive fluids; non-hazardous liquid and solid wastes; yard debris, leaves, soils, compost, mulch, and organic wastes; refuse, rubbish, garbage, litter, or other discarded or abandoned objects, articles, and accumulations, so that the same may cause or contribute to pollution; floatables; pesticides, herbicides, and fertilizers; hazardous substances and wastes; sewage, fecal coliform and pathogens; dissolved and particulate metals; animal wastes; construction wastes; residues or accumulations such as sediment, slurries, and concrete rinsates; and noxious or offensive matter of any kind.~~ means any sediment, chemical, construction material, debris, or solid or liquid waste generated by project activities which, if allowed to move off the project site, could cause detriment to the stormwater system or the environment or would constitute a public nuisance.

Pollution means pollutant, waste and such contamination or other alteration of the physical, chemical, or biological properties of any waters of the state, including change in temperature, taste, color, turbidity, silt, or odor of the waters, or such discharge of any liquid, gaseous, solid, radioactive, or other substance into any water of the state that either by itself or in connection with any other substance present can reasonably be expected to create a public nuisance or render such waters harmful, detrimental, or injurious to public health, safety, or

welfare; to domestic, commercial, industrial, agricultural, recreational, or other legitimate beneficial uses; or to livestock, wildlife, fish, other aquatic life or the habitat thereof.

Project means the collective actions on one property and overseen by one responsible party which meet or exceed the thresholds triggering the need for an erosion control permit and/or any applicable permits.

Property means the property upon which construction activities are conducted which require a permit.

Public works director means the public works director of the city or their designee.

Safe drinking water act means the National Primary Drinking Water Regulations (40 CFR 141) or any subsequent amendments made thereto

Sediment means any material that is in suspension, is being transported, or has been moved from its original site by the action of erosion.

~~*Site*~~ *See Property*. Means the area on a property where construction activities are physically located or conducted.

Site Inspector means a designated person who ensures the site stays in compliance by performing required site inspections, maintaining required BMP's, and acting as a point of contact for city staff. If the permitted site is over 1 acre, the site inspector must be CESCL certified, or certified by an approved equal.

~~*Stormwater system* means all natural and human-made facilities that regulate the direction, quantity and quality of surface water or groundwater, including, but not limited to, drainage easements, culverts, storm drains, catchbasins, underground injection control systems, stream corridors, rivers, ponds, ditches, swales, intermittent waterways, wetlands, vegetated stormwater facilities and impoundments.~~

Stabilize(d) or stabilization means that all exposed soil has been covered by appropriate materials such as mulch, compost sod, riprap, erosion control blanket, mats or other material that prevents erosion from occurring. Final stabilization is determined by satisfying the following criteria: 1) there is no reasonable potential for discharge of sediment or turbidity to surface waters or storm drainage systems; 2) construction materials and wastes have been removed and disposed of properly including removal of sediment accumulations retained by temporary controls; 3) all temporary erosion and sediment controls have been removed and disposed of properly; 4) all construction activities and soil disturbances have ceased; and 5) all disturbed areas and exposed soils are covered by either established vegetation or permanent stabilization measures.

Storm drainage system means any public or private facility designed or used for collecting and/or conveying stormwater, including but not limited to roads, highways, or streets with drainage systems, curbs, gutters, inlets, catch basins, piped storm drains, structural stormwater controls, detention or retention basins, ditches, vegetated stormwater facilities, swales/infiltration facilities, underground injection controls, outfalls, natural and man-made or altered drainage channels, reservoirs, local waterways, and waters of the State and/or United States.

Stormwater means stormwater runoff, snow melt runoff, and surface runoff and drainage.

~~*Visible or measurable erosion* means any sediment transfer exceeding one-half cubic foot in volume which is allowed to travel off site or enter the stormwater system. Includes, but is not limited to:~~

1. Deposits of mud, dirt, sediment or similar material exceeding one-half cubic foot in volume on public or private streets, adjacent property, or into the storm and surface water system, either by direct deposit, dropping, discharge, or as a result of the action of erosion.
2. Evidence of concentrated flows of water over bare soils; turbid or sediment laden flows; or evidence of on site erosion such as rivulets on bare soil slopes, where the flow of water is not filtered or captured on the site.
3. Earth slides, mudflows, earth sloughing, or other earth movement, which leaves the property.

Waste. See Pollutant and Pollution.

Waters of the state means lakes, bays, ponds, impounding reservoirs, springs, wells, rivers, streams, creeks, estuaries, marshes, inlets, canals, the Pacific Ocean within the territorial limits of the state, and all other bodies of surface or underground waters, natural or artificial, inland or coastal, fresh or salt, public or private (except those private waters that do not combine or effect a junction with natural surface or underground waters) that are located wholly or partially within or bordering the state or within its jurisdiction or as defined by the United States Environmental Protection Act.

(Ord. No. 2014-711, § 3, 12-1-2014)

Sec. 18-85. Guidance manuals.

The public works director or designee is hereby authorized to administratively adopt erosion control and/or pollution prevention guidance manuals to assist the public works department in plan review and permit issuance. Such guidance manuals shall be advisory only and the public works director or designee has discretion to vary from the guidelines set forth in the manuals, where the situation requires. Compliance with any procedure listed in the manuals does not release the applicant or permittee from any conditions, requirements and/or penalties listed in this article.

(Ord. No. 2014-711, § 4, 12-1-2014)

Sec. 18-86. Permit requirements and procedures.

- (a) An erosion control permit issued by the public works director or City inspector shall be required prior to conducting any construction activities which may singly or cumulatively cause greater than 2,000 square feet of disturbance. A permit shall also be required for any activities which may, singly or cumulatively, cause greater than 200 square feet of disturbance, if ~~any portion of~~ said disturbance is within 5075 feet of the ordinary high-water ~~linemark of the Willamette River~~ or the project property is within 50 feet of any ~~other~~ waters of the state.
- (b) In order to request a permit, an applicant shall submit a permit application, an ESCP (the appropriate plan pursuant to section 18-87) and any associated permit ~~application~~ materials.
- (c) The public works director or City inspector shall grant, deny, or condition the request for a permit within 20 business days after the date of receipt of all completed application materials, unless the time for a decision has been waived by the applicant.
- (d) ~~The city inspector may perform a~~An initial site inspection of the site may be conducted prior to permit issuance to ensure control measures are in place. In such case, if the control measures are properly in place and other conditions met, a permit may be issued. The applicant may not consider the permit to have been granted until the permit is ~~received and~~ signed and received by the city and the permittee.
- (e) The public works director or city inspector shall refuse to grant a permit where conditions cannot be met or are not accepted. The public works director or city inspector may revoke or terminate a permit where compliance cannot be met or maintained.
- (f) No permit is transferable without the consent, in writing, of the public works director or city inspector. Consent will only be granted if updated contact information is provided to the public works director or city inspector.
- (g) The permittee shall have a copy of the permit and accepted plan on site during the construction activities and must present it either upon the request of the public works director or city inspector.

-
- (h) ~~Once activities are completed, the site must be stabilized and all non-permanent control measures must be properly removed. Once these requirements have been approved by the inspector and all outstanding fees are paid, the permit may then be closed.~~
- (hi) ~~The city will not sign off on a final certificate of occupancy shall be withheld until a final inspection has been completed and approved. In order to pass final inspection, all fees must be paid, erosion control BMP's must be removed, final stabilization must be achieved and all waste must be disposed of properly. the permit closure is completed.~~

(Ord. No. 2014-711, § 5, 12-1-2014)

Sec. 18-87. Required plans.

Depending upon the scope of the project, the applicant shall prepare one of the following two plans in order to receive a permit:

- (1) ~~Large project erosion and sediment control plan (ESCP) Construction site pollution prevention plan (CSPPP).~~ A ~~large project ESCP~~CSPPP is required for activities which may, singly or cumulatively, cause 10,000 square feet or more of disturbance. ~~Large project ESCP that disturb over one acre will be required to provide a CESCL site inspector on their site and available to respond 24 hours a day, seven days a week. This also includes any activities which may cause 10,000 square feet or more of disturbance, if any portion of said disturbance may come within 75 feet of the ordinary high-water mark of the Willamette River or within 50 feet of any other waters of the state.~~
- (2) ~~Small project erosion and sediment control plan (ESCP) Construction site pollution prevention plan B (CSPPP-B).~~ A ~~small project ESCP~~CSPPP-B is required for any activities which may singly or cumulatively cause greater than 2,000 but less than 10,000 square feet of disturbance. The ~~small project ESCP~~CSPPP-B shall also be required for any activities which may, singly or cumulatively, cause greater than 200 but less than 10,000 square feet of disturbance, if any portion of ~~project property~~said disturbance may come within ~~50~~75 feet of the ordinary high-water ~~linemark of the Willamette River or within 50 feet of any other~~ waters of the state.

(Ord. No. 2014-711, § 6, 12-1-2014)

Sec. 18-88. Plan implementation.

Upon the city's acceptance of the plan, the conditions of the plan shall be implemented as follows:

- (1) *Adhering to plan.* The permittee shall adhere to the approved plan for the project. Any changes to the plan ~~can only be~~shall occur once approved by the city inspector in writing~~must be approved by the inspector.~~
- (2) *Installation of control measures.* Installation of control measures shall occur prior to any disturbance.
- (3) *Inspection and m*~~A~~*aintenance of control measures.* Maintenance of all control measures pursuant to an approved plan shall be the responsibility of the permittee. During active construction or any other activity which might result in erosion or pollution, the permittee ~~or site inspector~~ shall inspect control measures and shall maintain, adjust, repair or replace control measures to ensure that they are functioning properly and are in keeping with the provisions of the approved plan. The permittee ~~or site inspector~~ shall maintain written records of all site inspections of control measures and shall provide them to the public works director or ~~city~~ inspector upon request.

-
- (4) *Duration of maintenance.* The permittee shall maintain control measures pursuant to the permit, approved plan and this article until the permit is closed~~soils are stabilized~~ as determined by the public works director or city inspector.
 - (5) *Correction of ineffective control measures.* In the event that any control measure experiences a failure or insufficiency in function or design, the permittee shall immediately undertake corrective actions in the form of remedial control measures or techniques to amend the deficiency as directed by the public works director or city inspector.
 - (6) *Re-inspection fees.* If the city inspector is required to make unscheduled additional inspections due to a valid complaint, an observed violation, or insufficient effort on the part of the permittee to address concerns or requests made by the city inspector, re-inspection fees shall be assessed.
 - (7) *Discharge.* Any pollutant discharged off site to an adjacent property, right-of-way, storm drainagewater system, or waters of the state shall be removed at the expense of the permittee. Should the removal be deemed likely to cause more environmental damage than leaving the material in place, mitigation practices may be allowed. Mitigation shall be at the discretion of the public works director or designee and shall only be allowed upon express written authority of the director or designee.
 - (8) *Recordkeeping.* Records of inspections, corrective actions, and approved changes to the plan shall be maintained by the site inspector and kept on the project site at all times. Such records must be provided to city upon request.
 - (9) *Permit closure.* The permittee shall close the permit at the completion of the project. Prior to permit closure, all temporary control measures shall be removed and final stabilization shall be achieved as determined by the city inspector. The city will not sign off on a final certificate of occupancy ~~shall be issued~~ until the permit is closed and all outstanding fees paid.

(Ord. No. 2014-711, § 7, 12-1-2014)

Sec. 18-89. Required control measures.

Any plan submitted pursuant to section 18-87 shall, at a minimum, use and comply with the following methods of erosion control and pollution prevention throughout the permit~~disturbance~~ period to prevent visible or measurable erosion and to otherwise prevent pollutants from moving off site; these measures shall be enforceable 24 hours a day:

- (1) Construction activities and or t~~The disturbance shall be confined to the immediate construction project~~ site only. Perimeter control measures shall be used to contain all sediment, pollution or runoff from leaving the site as determined by the city inspector. The project site shall be stabilized during periods of no work, including after each workday.
- (2) All disturbed areas not being actively worked must be stabilized within 14 days of inactivity. Final~~Permanent~~ stabilization measures shall be used on all disturbed areas not being actively worked for 60 days or more to prevent erosion and transport of sediments. An alternate timeframe may be approved by the public works director or city inspector.
- (3) If construction equipment or vehicles will be used on site, a construction entrance shall be installed and utilized at each access point to prevent~~minimize~~ track-off of material as determined by the city inspector.
- (4) Appropriate e~~C~~ontrol measures shall be in place to prevent sediment or pollution from entering the storm drainagewater system. Pollution-laden water shall not be flushed nor allowed to enter the storm drainagewater system.

-
- (5) Dust shall be minimized by using appropriate control measures.
 - (6) ~~Adequate~~ ~~W~~aste management methods shall be employed to protect the storm ~~drainage~~water system from any exposure to solid, ~~or~~ liquid, and hazardous waste or pollution generated in accordance with city code, federal and state law on-site. ~~No person shall throw, deposit, leave, maintain, keep, or permit to be thrown, deposited, left, or maintained, in or upon any public or private property, driveway, parking area, street, alley, sidewalk, component of the storm drainage system, or waters of the state, any refuse, rubbish, garbage, litter, yard debris or other discarded or abandoned objects, articles, and accumulations, such that the same may cause or contribute to pollution. Wastes deposited in proper waste receptacles for the purposes of collection are exempted from this prohibition. Wastes may~~ shall not be buried on site. ~~Pollutants are prohibited from being buried on site.~~
 - (7) The permittee or site inspector must inspect and maintain the control measures identified in the plan, taking corrective action as necessary. The permittee's inspections shall occur at least once every four work days and within one calendar day of any storm event exceeding one-half inch of precipitation within a 24-hour period. During inactive periods, this inspection frequency may be reduced to once every 14 days at the discretion of the site inspector.

(Ord. No. 2014-711, § 8, 12-1-2014)

Sec. 18-90. Authority to inspect.

Whenever necessary to make an inspection to confirm compliance with or enforce any provision of this article, or whenever the public works director or designee has cause to believe that there exists, or potentially exists, in or upon any project site any condition which constitutes a violation of this article, the director or designee may enter such premises at all times to inspect the same and to inspect and copy records related to compliance with this article. In the event the owner or occupant refuses entry after a request to enter and inspect has been made, the city is hereby empowered to seek warrant or other assistance from any court of competent jurisdiction in obtaining such entry.

(Ord. No. 2014-711, § 9, 12-1-2014)

Sec. 18-91. Prohibited activities.

- (a) No person shall cause, suffer or allow visible and measurable erosion, ~~or~~ pollutants, or waste to leave a project site or otherwise drag, drop, track or otherwise place or deposit, or permit to be deposited, any pollution from the site upon a public or private street or into any part of the public storm ~~drainage~~water system or any part of a private storm ~~drainage~~water system which drains or connects to the public storm ~~drainage~~water system, or bury such on any portion of the construction site.
- (b) No person shall wash or flush any pollutant-laden water into any part of the storm ~~drainage~~water system or into a public street, or bury it on the construction site.

(Ord. No. 2014-711, § 10, 12-1-2014)

Sec. 18-92. Violations/penalties.

- (a) The failure to acquire a permit required by this article shall constitute an infraction and shall be punished as set forth in chapter 1, article II.
- (b) A violation of or failure to comply with any requirements of this article or of the approved plan or permit shall constitute an infraction and shall be punished as set forth in chapter 1, article II.

(c) It shall be unlawful for any person to violate any provision or fail to comply with any of the requirements of this article. A violation of or failure to comply with any of the requirements of this article shall constitute an infraction and shall be punished as set forth in chapter 1, article II. The mandatory penalties are as follows:

(1) \$500.00 per day for failure to obtain and/or actively working without a permit.

(2) \$250.00 per day for the first offense within a ~~three-year~~three-year period.

(3) \$350.00 per day for the second offense within a ~~three-year~~three-year period.

(4) \$500.00 per day for the third offense within a ~~three-year~~three-year period.

(5) There shall be an enhanced penalty of an additional \$100.00 per day if the violation results in any discharge of hazardous material in any amount.

(6) There shall be an enhanced penalty of an additional \$100.00 per day if the violation is fully or partially intentional.

(de) Any violation of this article, permit, or an approved plan which results in visible or measurable erosion or pollutants being transported off site is hereby declared to be a nuisance and may be abated pursuant to chapter 24, article III or sections 18-138 through 18-141. Notwithstanding the provisions of chapter 24, article III and sections 18-138 through 18-141, the public works director or designee may summarily abate such nuisance.

(ed) In addition to those penalties available under chapter 1, article II, ~~and~~ chapter 24, article III, and sections 18-138 through 18-141, the following penalties/remedies are available for use by the city:

(1) The public works director or designee may order all or part of the work to be stopped on any project where control measures are not being properly maintained or are not functioning properly. Notice to stop work may be immediate if appropriate under the circumstances at the discretion of the public works director or designee.

(2) The public works director or designee may refuse to accept, approve, or certify completion of any development or building permit or project, or may deny occupancy on the subject property until control measures have been properly installed, maintained, and/or removed and site stabilization has been confirmed by the city inspector following completion of construction activities, in accordance with this article.

(3) The owner of the property from which any visible or measurable erosion or pollutant discharges occur, together with any person or parties who cause such discharges, shall be responsible to remediate any impacts and take measures to prevent any future occurrences.

(4) Upon request of the public works director, designee, or direction from the city council, the city attorney may institute appropriate action in any court to enjoin a development of a site or building project which is in violation of this article or to require conformance with this article.

(5) In lieu of enforcement proceedings, penalties, and remedies authorized by this article, the public works director or designee may propose alternative compensatory actions.

(fe) The rights, remedies and penalties provided in this article are cumulative, are not mutually exclusive, and are in addition to any other rights, remedies and penalties available to the city under any other provision of law.

(Ord. No. 2014-711, § 11, 12-1-2014)

Sec. 18-93. Notice process.

When required by this article, notice shall be in writing and delivered personally, by posting or by certified mail, postage prepaid, return receipt requested, to the applicant's/permittee's last known address and is effective on the third day after mailing. In addition, the subject property shall be posted with the written notice. However, notice can also be delivered by phone, text, electronic mail or other means to the applicant/permittee. Such alternate notice is effective upon receipt by the applicant/permittee. Receipt of notice shall not be unreasonably withheld.

(Ord. No. 2014-711, § 12, 12-1-2014)

Sec. 18-94. Responsibility for administration.

The public works director or designee shall administer, implement, and enforce the provisions of this article.

(Ord. No. 2014-711, § 13, 12-1-2014)

Sec. 18-95. Regulatory consistency.

This article shall be construed to ensure consistency with the requirements of the Clean Water Act, Safe Drinking Water Act, state statutes, state administrative rules, and any stormwater-related permits issued to the city by the state department of environmental quality and acts amendatory thereof or supplementary thereto, or any applicable implementing regulations.

(Ord. No. 2014-711, § 15, 12-1-2014)

Secs. 18-96—18-118. Reserved.



To: Mayor Clark and City Council Members
Thru: Adam J. Brown, City Manager
From: Garrett Klever, Human Resources Director
Subject: Personnel Policies - DPSST Executive Certification Incentive

Proposed Motion

I move the City Council adopt Resolution R2025-_____ Amending the Keizer Personnel Policies

I. Summary

Staff recommend the adoption of a 2.5% incentive of base salary for Lieutenants of the Keizer Police Department who hold an Executive Certificate from the Department of Public Safety Standards & Training.

II. Background

- A. The Department of Public Safety Standards and Training (DPSST) certifies law enforcement officers at upper levels beyond Police Basic. These certifications reflect an Officer's level within the public safety community. Upper level certifications include Intermediate, Advanced, Supervisory, Management, and Executive. The City of Keizer, through its agreements with collective bargaining units, offers percentage-based incentives to its sworn personnel to persuade them to advance through higher levels of certification at the Intermediate, Advanced, and Management levels.

III. Current Situation

- A. Lieutenants are not offered any incentives for upper-level certification from DPSST.
- B. DPSST's highest certification level is Executive. This certification requires two years of experience in an eligible position along with 100 hours of DPSST-approved Executive-level training in the last 5 years.
- C. Following the collective bargaining with the sergeants' union, there was a compression issue with the lieutenants' classification and compensation. This certification benefit is one way to separate the lieutenants' pay level from the sergeants' level, while providing a direct benefit to the City via this advanced

training.

IV. **Analysis**

- A. **Strategic Impact** - Offering an incentive for DPSST Executive Certification will help incentivize Lieutenants to take high-quality executive education. Sources of DPSST-approved training include the FBI Academy and Oregon Executive Development Institute. This training would help Lieutenants develop leadership skills in their current position while preparing them for higher levels. The City benefits from its Lieutenants taking executive-level education through improved decision-making, more effective leading of teams, and enhanced strategic thinking.
- B. **Financial** - The cost would be approximately \$17,600 if all Lieutenants qualified at top step; however, not all Lieutenants would qualify immediately. Immediate financial impact is approximately \$11,700 through the 2025-2026 fiscal year.
- C. **Timing** - No timing issues.
- D. **Policy/Legal** - In accordance with R2024-3439, the Keizer City Council must approve portions of the Personnel Policy Manual concerning changes in the level of benefits. Because an incentive requires amending the Compensation section of the City's personnel policies and changing the level of compensation for the City's employees, the Council needs to approve.

V. **Alternatives**

- A. Adopt the resolution as presented.
- B. Direct staff to return with other amendments.
- C. Do nothing.

VI. **Recommendation**

Staff recommends adopting the resolution as presented.

Attachments

- 1. resolution Lt Exec Cert Pay

"Agenda Management Services are being supported, in whole or in part, by federal award number 21.019 awarded to City of Keizer by the U.S. Department of the Treasury."

1 CITY COUNCIL, CITY OF KEIZER, STATE OF OREGON

2
3 Resolution R2025-_____
4

5
6 WHEREAS, under Resolution R2024-3439, Keizer City Council approval is
7 necessary to adopt a policy to change the level of benefits for employees; and

8 WHEREAS, any change in personnel policy to compensate Keizer Police
9 Lieutenants for earning and maintaining a Department of Public Safety Standards and
10 Training (DPSST) Executive Certification would require Keizer City Council
11 approval; and

12 WHEREAS, the City of Keizer desires to set policy to compensative Keizer
13 Police Lieutenants at two and a half percent (2.5%) of individual base salary when
14 they hold the DPSST Executive Certification;

15 NOW, THEREFORE,

16 BE IT RESOLVED by the City Council of the City of Keizer that the following
17 language be added to the **Compensation, Incentive Pay** section of the personnel
18 policies of the City of Keizer to include:
19

20 **Executive Certificate**

21 Upon submittal of evidence satisfactory to the City that a Lieutenant of
22 the Keizer Police Department has received DPSST Executive
23 Certification, the employee shall receive an incentive of two and a half
24 percent (2.5%) of their base salary.
25

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

28 PASSED this _____ day of _____, 2025.
29

1
2
3
4
5
6
7

SIGNED this _____ day of _____, 2025.

Mayor

City Recorder



To: Mayor Clark and City Council Members
Thru: Adam J. Brown, City Manager
From: Adam Brown, City Manager
Subject: Keizer Little League Management

Proposed Motion

Direct staff to put together a scope of work, process, and council options to bring back to the Keizer City Council for approval prior to putting out a Request for Proposals for interest in managing the Keizer Little League park.

I. Summary

Councilors Parsons, Kohler, and Starr requested that I add to the agenda an item to discuss exploring options with the management of Keizer Little League Park. In response, I discussed with the operator holding the current contract, For the Love of the Game Inc, to receive consent to explore possibilities.

II. Background

- A. In speaking with several council members, there was interest in exploring new opportunities for running the Keizer Little League Complex.
- B. In response to those conversations, I met with the current operator, representing For the Love of the Game LLC, to see if they would mind the city issuing a Request for Proposals to gauge the interest and ideas of other third parties. We met face to face on June 18, 2025, and I received confirmation of our discussion on July 2, 2025 by email.

III. Current Situation

- A. The City has an agreement with For the Love of the Game Inc. through October 31, 2031.
- B. The contract allows the City Council to determine whether they want the contract to continue between November 1 and November 30 of each year; however, if the council determines they want to pursue something else, the contract requires a two-year written notice unless otherwise agreed upon by the current manager and the City.

- C. I requested from the Manager that the city be able to look at other opportunities while still being under operation by the current organization. If nothing comes of the request for proposals, then we would still be covered by the current operator.

IV. Analysis

- A. **Strategic Impact** - No strategic impact.
- B. **Financial** -
No financial impact, just staff time.
- C. **Timing** -
This could feasibly allow us to explore opportunities prior to the November council review of the contract. The current manager has indicated that they would work with the City on less than a two-year notice if a better option is found that benefits the users.
- D. **Policy/Legal** - A council motion is needed to bring back a scope of work for which we would also discuss the process and any other requests the council would have before we put out any formal request.

V. Alternatives

- A. Request that staff bring back a scope of work with the options and process for a Request for Proposals to the Keizer City Council.

VI. Recommendation

Staff recommends the City Council direct staff to put together a scope of work, process, and council options to bring back to the Keizer City Council for approval prior to putting out a Request for Proposals for interest in managing the Keizer Little League park.

Attachments

1. Email_AJB_From MW Exploring KLL Opportunities_7 2 2025

"Agenda Management Services are being supported, in whole or in part, by federal award number 21.019 awarded to City of Keizer by the U.S. Department of the Treasury."

Brown, Adam

From: Mickey Walker <mickey777w@gmail.com>
Sent: Wednesday, July 2, 2025 11:52 AM
To: Brown, Adam
Subject: Re: For the Love of the Game

CAUTION: This email originated from Outside Your Organization. Exercise caution when opening attachments or on clicking links from unknown senders. Please contact Information Technology for assistance.

Yes. Received and pretty much sums it up

Mickey Walker
CEO, Salem-Keizer Volcanoes
Roto-Rooter Park
Mavericks League

From: Brown, Adam <BrownA@keizeror.gov>
Sent: Monday, June 30, 2025 5:30 PM
To: Mickey Walker <mickey777w@gmail.com>
Subject: For the Love of the Game

Mickey,

This email is just a summary of the conversation we had at Volcanoes stadium on June 18, 2025. Some members of the city council would like to see if there are other possibilities for managing the Keizer Little League complex while still under your agreement. A few councilors have asked me to put it on the agenda to direct me to put together an RFP for this purpose while still having the stability of For the Love of the Game managing the complex.

We understand that you are still under a 10-year contract and that the Council can review it each November with a two year grace period for discontinuing the contract. As per our conversation, if another opportunity arose for the city that feels better for the park, then we would discuss with you a transition in management, assuming you concur with the opportunity and feel it's best for all involved. In the absence of a better proposal we discussed that For the Love of the Game would continue to operate the facility in collaboration with the City as per the agreement.

If you could reply to this email affirming that I accurately captured our conversation then I will share that with the City Council for their meeting on July 7 when the council members discuss this topic.

Adam J. Brown, ICMA-CM
City Manager
City of Keizer, Oregon
Desk: 503-856-3414
Fax: 503-393-9437
PO Box 21000
Keizer, OR 97307
(Physical Address) 930 Chemawa Rd. NE



To: Mayor Clark and City Council Members
Thru: Adam J. Brown, City Manager
From: Shane Witham, Planning Director
Subject: Text Amendment: Commercial Mixed Use (CM) Zone (allowing auto-oriented uses in Keizer Station Area B)

Proposed Motion

I move that City Council adopt Ordinance No. 2025-____ Relating to Auto-Oriented Uses in Keizer Station Area B; Amending Keizer Code Appendix A, Section 2.110.04 and Section 2.110.05.

or

I move that City Council adopt Ordinance No. 2025-____ Relating to Auto-Oriented Uses in Keizer Station Area B; Amending Keizer Code Appendix A, Section 2.110.04 and Section 2.110.05 as amended.

I. Summary

As directed by City Council, staff has prepared an Ordinance for consideration and adoption that will modify the Keizer Code to allow for *drive-thru windows or car service associated with eating and drinking places* as a Conditional Use within the Commercial Mixed Use (CM) zone in Keizer Station Area B, on the east side of Keizer Station Boulevard.

II. Background

- A. A request was received from the prospective development team for Keizer Station Area B representing Clutch Industries and Raising Cane's requesting the City initiate a text amendment to allow gasoline service stations and drive-thru windows or car service associated with eating and drinking places as a conditional use, so that a future masterplan amendment can be applied for. The Planning Commission held a public hearing to consider the proposed changes on May 21, 2025, and recommended approval of the proposed changes to City Council for consideration. On June 16, 2025, the City Council held a public hearing, received testimony, and deliberated on the issue and ultimately directed staff to prepare an ordinance for adoption that would only allow drive-thru windows or car service associated with eating and drinking places as a conditional use, and that it would be limited to the

area located on the east side of Keizer Station Boulevard.

- B. Testimony and written comments were received expressing concerns over noise, traffic, safety, gasoline odors, environmental concerns of the gasoline storage tanks, lighting and neighborhood impacts. The majority of the testimony opposing the changes focused on concerns over the gasoline service station use. Multiple individuals testified they supported "Raising Cane's" as a use. However, there was also testimony provided that opposed any change to the existing language of the Code and opposed any additional auto-oriented uses.
- C. Testimony was also received from the development group in support of the proposed changes, indicating the desire to develop the land that has been vacant for many years and a desire to provide uses that would be beneficial to the City and the surrounding neighborhood.
- D. Prior to any development moving forward, a masterplan amendment will have to be pursued, which will include public hearings and notice to surrounding property owners. The process requires hearings before both the Planning Commission and the City Council which will provide neighbors and other interested persons opportunities to testify on the actual development proposal, and afford the City the ability to require conditions of approval for the development. The text amendment in itself does not approve any specific development plan or concept, but rather modifies that code so drive-thru uses could be considered in a future masterplan proposal.

III. **Current Situation**

- A. Staff has prepared the ordinance and findings for adoption, as directed by the City Council. The ordinance, as written, will allow *drive-thru windows or car service associated with eating and drinking places* as a Conditional Use within the Commercial Mixed Use (CM) zone in Keizer Station Area B, on the east side of Keizer Station Boulevard.
- B. On June 25, 2025, staff received a memo from Kimley-Horn and Associates regarding Raising Cane's desire to locate on the west side of Keizer Station Boulevard, as opposed to the east side of Keizer Station Boulevard. Kimley-Horn and Associates is the consulting civil and traffic engineer for Raising Cane's. The memo cites potential challenges with traffic and circulation as the identified reason for desiring to locate on the west side of Keizer Station Boulevard. The memo is attached for your reference.

IV. **Analysis**

- A. **Strategic Impact** - There is no direct strategic impact. However, this change is being requested in order for properties within Area B of Keizer Station to be developed. The City Council has identified the desire to sell the City-owned properties, and has authorized the signing of the purchase and sale agreement for the property located on the west side of Keizer Station Boulevard, which allows for the developer to obtain entitlements for development of the property.
- B. **Financial** - There is no direct financial impact for the proposed text amendment. However, the purchase and sale agreement (section 6) does reference the

developer "pursuing approval of a text amendment, if needed".

- C. **Timing** - There is no specific time constraint or requirement for action. However, at the June 16, 2025, meeting, City Council directed staff to prepare an ordinance for adoption and bring it to City Council for action.
- D. **Policy/Legal** - The code identifies the process for a text amendment, which has been followed and included public hearings before both the Planning Commission and City Council. The adoption of the ordinance and findings is the final step required to change the language in the code.

V. Alternatives

- A. Adopt the attached ordinance.
- B. Adopt the attached ordinance with any identified changes/amendments. This option would be appropriate if the Council wishes to consider allowing the drive-thru restaurant use on the west side of Keizer Station Boulevard, or if there are additional mitigation measures desired that the Council identifies.
- C. Table the Item - IF the council would like to have more time to assemble facts, the council could table the item until the buyers are able to bring other expertise to resolve council concerns.
- D. Take no action. This would result in no change to the existing provisions of the Keizer Code.

VI. Recommendation

Staff recommends that City Council adopt the ordinance with any changes identified by Council.

Attachments

- 1. ORD_CC_Amending Appendix A Section 2.110.04 and 2.110.05_7 7 2025
- 2. EXH_CC - 2.110.COMMERCIAL_MIXED_USE_7 7 2025
- 3. Findings-KDCAmendment-CMzone auto oriented-case 2025-06
- 4. KIMERLY-HORN_memo_CCpacket

"Agenda Management Services are being supported, in whole or in part, by federal award number 21.019 awarded to City of Keizer by the U.S. Department of the Treasury."

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A BILL
ORDINANCE NO.
2025-_____
FOR
AN ORDINANCE
RELATING TO AUTO-ORIENTED USES IN
KEIZER STATION AREA B; AMENDING KEIZER
CODE APPENDIX A, SECTION 2.110.04 AND
SECTION 2.110.05
The City of Keizer ordains as follows:
Section 1. Keizer Code Appendix A is hereby amended at Section 2.110.04
and Section 2.110.05 as set forth in Exhibit A, attached hereto and by this reference
incorporated herein.
Section 2. This is a legislative land use amendment. Findings demonstrating
compliance with the applicable criteria are set forth in Exhibit B, which is attached
hereto and incorporated herein by reference.
Section 3. In preparing this ordinance for publication and distribution, the City
Recorder shall not alter the sense, meaning, effect or substance of this ordinance, but
within such limitations, may:
(a) Renumber sections and parts of sections of the ordinance;
(b) Rearrange sections;
(c) Change reference numbers to agree with renumbered chapters, sections or
other parts;
(d) Delete references to repealed sections;

1 (e) Substitute the proper subsection, section or chapter, or other division
2 numbers;

3 (f) Change capitalization and spelling for the purpose of uniformity;

4 (g) Add headings for purposes of grouping like sections together for ease of
5 reference; and

6 (h) Correct manifest clerical, grammatical or typographic errors.

7 Section 4. Each section of this ordinance, and any part thereof, is severable,
8 and if any part of this ordinance is held invalid by a court of competent jurisdiction, the
9 remainder of this ordinance shall remain in full force and effect.

10 Section 5. This Ordinance shall take effect thirty (30) days after its passage.

11 PASSED this _____ day of _____, 2025.

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13 SIGNED this _____ day of _____, 2025.

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Mayor

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City Recorder

2.110. COMMERCIAL MIXED USE (CM)

Sec. 2.110.04. 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. Gasoline service stations (554)~~

~~In addition to located in the Chemawa/River Rd restriction area described in section 2.110.05.C, subject to the following requirements, the use must satisfy the conditional use criteria found in Section 3.103.03. (9/17)~~

- ~~1. May only sell fuel-related products, such as gasoline and oil, and non-fuel-related products typically for sale in the primary food store use. The building containing the non-fuel-related sales shall not exceed a total of 900 square feet, and the sales floor area portion shall not exceed 450 square feet. No service or repair functions are allowed. (9/17)~~
- ~~2. Subject to the provisions in section 2.419. (9/17)~~
- ~~3. Must be accessory to a food store (54) use. The primary food store use must be a minimum of 15,000 square feet in area. (9/17)~~
- ~~4. Must be set back more than 100 feet from adjacent public streets and must provide pedestrian-oriented amenities on the entire site. (9/17)~~
- ~~51. Must provide screening and buffering to adjacent residential uses and must mitigate the aesthetic impacts of on-site stacking and queuing visible from any public right-of-way or adjacent properties. (9/17)~~
- ~~62. Employ access management and control standards as appropriate to eliminate and/or reduce conflicts. (9/17)~~
- ~~73. Comply with all applicable requirements and standards, including, but not limited to, KDC 2.301.04 (Traffic Impact Analysis) and all mitigations required by such section. Traffic analysis must address the operational needs of the Keizer Fire District. (9/17)~~

~~CD. Drive-through windows or car service associated with eating and drinking places (58) may be allowed conditionally on the east side of Keizer Station Boulevard in Keizer Station Area B. (7/2025)~~

~~In addition to the following requirements, the use must satisfy the conditional use criteria found in Section 3.103.03, the following requirements must be satisfied: (7/2025)~~

- ~~1. Must provide screening and buffering to adjacent residential uses and must mitigate the aesthetic impacts of on-site stacking and queuing visible from any public right-of-way or adjacent properties. (9/17) (7/2025)~~
- ~~2. Employ access management and control standards as appropriate to eliminate and/or reduce conflicts. (9/17) (7/2025)~~
- ~~3. Comply with all applicable requirements and standards, including, but not limited to, KDC 2.301.04 (Traffic Impact Analysis) and all mitigations required by such section. Traffic analysis must address the operational needs of the Keizer Fire District. (9/17) (7/2025)~~

Sec. 2.110.05. Use restrictions.

No permitted or special permitted use shall in any way involve any of the following:

- A. Farm use. (5/98)
- B. The rendering, processing, or cleaning of animals, fish, seafoods, fowl, poultry, fruits, vegetables, or dairy products for wholesale use. (5/98)
- C. The following uses are prohibited from any ~~property fronting on River Road or Chemawa Road in the following area: the west side of River Road between 5119 River Road on the north and Janet Avenue extended on the south; the east side of River Road between Claggett Street on the north and James Avenue on the south; and either side of Chemawa Road between Elizabeth Street on the west and Bailey Road on the east; and (2) Any property contained within the Area B as described in the Keizer Station Plan. This prohibition does not apply to any business facility legally established as of the date of the adoption of this ordinance which, as of that date, has drive-through window facilities. (12/03) (7/2025)~~
 - 1. Gasoline service stations (554), except as provided in section 2.110.04.C. (9/17)
 - ~~2. Drive-through windows or car service associated with eating and drinking places (58). (5/98)~~
 - ~~32.~~ Vehicle sales and secondary repair. (5/98)
 - ~~43.~~ Public utility structures and buildings. (5/98)
 - ~~54.~~ Recreational vehicle parks (7033). (5/98)
 - ~~65.~~ Automobile parking not associated with an allowed use (752). (5/98)
 - ~~76.~~ Automotive dealers (55). (5/98)
 - ~~87.~~ Automotive rental and leasing, without drivers (751). (5/98)
 - ~~98.~~ Automotive repair shops (753). (5/98)
 - ~~109.~~ Automotive services, except repair (754). (5/98)
 - ~~110.~~ Utilities; secondary truck parking and material storage yard. (5/98)
- D. A limitation of the total floor area of specified uses applies to all of Area B, Retail Service Center, of the Keizer Station Plan. A maximum total floor area shall apply to the uses identified in sections 2.110.02(I) and 2.110.03(E)(12)—(14). 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. (9/18)

EXHIBIT “B”

Findings regarding the adoption of amendments to Keizer Code Appendix A, Section 2.110 Commercial Mixed Use (CM) of the Keizer Development Code (KDC).

The City of Keizer finds that:

1. General Findings.
The particulars of this case are found within Planning file Text Amendment 2025-06. Public hearings were held before the Planning Commission on May 21, 2025 and before the City Council on June 16, 2025. Both the Planning Commission and the City Council voted in favor of the proposed revisions.
2. Criteria for approval are found in Section 3.111.04 of the Keizer Development Code. Amendments to the Comprehensive Plan or Development Code shall be approved if the evidence can substantiate the criteria are met. Amendments to the map shall be reviewed for compliance with all of the listed criteria in Section 3.1104, while text amendments shall only be reviewed for compliance with Section 3.111.04 B, C, and D. Given this is a text amendment, Section 3.111.04 A is not applicable.

3. **Section 3.111.04.B - A demonstrated need exists for the product of the proposed amendment -**

Findings: The proposed revisions to the zone code reflect a demonstrated need. Both the Planning Commission and City Council held public hearings to consider the proposed changes. Ultimately, Council directed staff to prepare an ordinance for adoption of the proposed changes to allow *drive-thru windows or car service associated with eating and drinking places* as a conditional use. Therefore, this proposal complies with this review criterion.

4. **Section 3.111.04.C- The proposed amendment to the Keizer Development Code complies with statewide land use goals and related administrative rules**

FINDINGS: The proposed text amendments comply with the statewide land use planning goals as discussed below.

Goal 1 – Citizen Involvement: The adoption of this ordinance followed notice, a public process involving public hearings, deliberation, and ordinance adoption. Public notice was provided in the Keizertimes newspaper. Public hearings were held before the Planning Commission and before the City Council. Citizens were afforded the opportunity to participate in the public process. This process is consistent with the provision for providing an opportunity for citizens to be involved in all phases of this proposed planning process as is required by this goal and with implementing administrative rules within Oregon Administrative Rules.

Goal 2 – Land Use Planning: This ordinance amends the Keizer Code, Appendix A (Keizer Development Code). The city has an adopted comprehensive plan acknowledged by the state. The adoption proceeding was conducted in a manner consistent with the Keizer Comprehensive Plan, Keizer Development Code, and applicable state law. The proposed revisions to the Code are consistent with this statewide planning goal and administrative rules.

Goal 3 – Farm Land: The purpose of this goal is to protect lands that are designated for agricultural uses. Within the city limits the Exclusive Farm Use (EFU), Special Agriculture (SA), Urban Transition (UT), and Public (P) allow commercial agricultural uses. However, only the city's SA zone is a state recognized EFU qualifying zone. The changes do not affect farm lands, but rather modify the Commercial Mixed Use (CM) zone. These provisions do not affect lands that are outside the city limits or any lawful uses occurring on those lands, nor does it amend any of those existing zoning designations. The proposed amendments will comply with the Farm Land Goal and with implementing administrative rules.

Goal 4 – Forest Land: The intent of this goal is to protect lands designated for commercial forest uses. There are no zoning districts specifically designated within the city limits that will allow for commercial forestry. Also, there are no commercial forest lands near, or adjacent to the city limits of Keizer. The amendments do not involve any land which is designated as forest land, nor will it impact the use of any forest lands. The proposed amendments will comply with this Goal and with implementing administrative rules.

Goal 5 – Natural Resources: The intent of the Natural Resources Goal is to protect various natural resources such as wetlands, waterways, big game habitat, etc. The city has a wetland inventory of sites where wetland soils may be present. The city has an adopted Willamette River Greenway Overlay zone to protect resources along the Willamette River. There are no identified big game habitats within the city limits of Keizer. The city established a Resource Conservation overlay zone to maintain, preserve and protect the natural features adjacent to Claggett Creek. The city has storm water regulations to protect water quality of the local water ways consistent with the requirements of the City's National Pollutant Discharge Elimination Permit (NPDES). The proposed amendments will not preclude any of the city's natural resources protection regulations. Nor will the changes preclude the lawful use of any properties that are within the City. Therefore, the proposed text amendments will be consistent with this goal and with administrative rules which implement this goal.

Goal 6 – Air, Water and Land Quality: The intent of this goal is to protect the city's air, water and land qualities. The city provides its residents with city water from groundwater sources. The quality of the water is monitored to ensure that it complies with all state and federal water quality standards. New construction is required to be connected to the established sanitary sewer system thereby

reducing the potential of groundwater contamination from failing on-site septic systems. The city has storm water regulations which are to maintain water quality in the Willamette River and local streams. Land quality is preserved through the city's erosion control regulations and through zone code development regulations. Air quality is preserved through the city's development code regulations which limit certain types of uses and are enforced by appropriate state agencies which govern air emission standards. The proposed revisions comply with this goal and with the administrative rules that implement this goal.

Goal 7 – Natural Hazards: The purpose of this goal is to protect life and property from hazards resulting from flooding, steep slopes or other natural occurrences. The city has floodplain regulations that govern the placement of structures within identified 100-year floodplains within the city limits. In Keizer, these are primarily located along the Willamette River and smaller streams such as Claggett Creek. The floodplains have been mapped by the federal government. The intent of the floodplain regulations is to minimize the loss of life and property damage by preventing development, elevating structures above the flood elevation, or flood proofing structures in the floodplain. While there are some steep slopes in the northwest quadrant of the city, there are no mapped areas of steep slopes in Keizer that might warrant any special engineering. The proposed text amendments will neither impact this goal nor any administrative rules pertaining to natural hazards.

Goal 8 – Recreation: This goal requires the city to identify and plan for the current and future recreation needs of the residents of the city. The city has an adopted Parks and Recreation Master Plan that inventories parks, playgrounds, and recreational opportunities within the city limits and plans for the city's future park and recreation needs. The proposed amendments will have no impact on the recreational activities that occur on any park land within the city and will not impact either this goal or any administrative rules that implement it.

Goal 9 – Economic Development: The intent of this goal is to ensure that the city plans for its overall economic vitality. Current employment needs were projected forward based on regional job growth estimates and target industry goals. The growth forecast calls for a total of 3,774 new jobs over the next 20 years. The adopted Economic Opportunities Analysis found there is a net need for commercial and institutional lands amounting to 63.3 gross acres above and beyond what the City's remaining buildable employment lands can accommodate. The proposed text amendments will not have any adverse impact on the economic development activities or uses within the city. The modification will allow for additional flexibility for commercial development by allowing an additional use as a conditional use in Keizer Station Area B, which may result in the creation of additional jobs and a positive economic impact. Therefore, the proposal is consistent with this goal.

Goal 10 – Housing: This goal requires the city to plan and provide for the housing needs of its residents. The proposed revisions do not affect the land supply in any way and only affect the Commercial Mixed Use (CM) zone, not residentially zoned land. The CM zone allows for residential uses, and the proposed changes do not restrict the ability for residential development. Therefore, the proposal is consistent with this goal.

Goal 11- Public Facilities and Services: The intent of this goal is to develop a timely, orderly and efficient arrangement of public facilities and services necessary to serve the residents of Keizer. The city provides its residents with water, an established street system, administrative services and police services. Sanitary sewer service is provided by the city of Salem through an intergovernmental agreement. Fire protection services are provided by the Keizer Fire District or Marion County Fire District #1. There is sufficient capacity in the municipal water delivery system and also within the sanitary sewer treatment system to accommodate planned growth within the upcoming 20-year planning period. The proposed text amendments will not impact any of the city’s public facilities and services. Therefore, the revisions will comply with this goal and all administrative rules.

Goal 12 – Transportation: The city has an adopted Transportation System Plan that describes the city’s transportation systems. This system includes streets, transit, bike, and pedestrian systems. It inventories the existing systems and contains plans for improving these systems. The proposed text amendment will not affect any transportation facility within the city limits and so is consistent with Section 3.111.05 regarding Transportation Planning Rule compliance. The proposed text amendments will have no adverse impact on the city’s transportation systems and will not affect this goal or any implementing rules. It should be noted that at the time of development, traffic impacts will be considered through a quasi-judicial land use review process to assure that any impacts are mitigated appropriately.

Goal 13 – Energy Conservation: This goal seeks to maximize the conservation of energy. All new construction requires compliance for review to applicable energy conservation standards. The proposed text amendments will have no impact on this goal or any of the implementing administrative rules.

Goal 14 – Urbanization: The intent of this goal to provide for an orderly and efficient transition from rural to urban land use. The city has an adopted Comprehensive Plan and zone code that complies with the goal. The proposed text amendments will affect only land that is within the city limits and will not impact the use of any land being transitioned from rural to urbanized uses and is therefore consistent with this goal.

Goal 15 – Willamette River: This goal seeks to protect, conserve, and maintain the natural, scenic, historical, agricultural, economic and recreational qualities of

lands along the Willamette River. The revisions to the city's development code will have no impact on the ability of the city to regulate uses along the river or the Willamette River Greenway Management overlay zone regulations. Therefore, the proposed amendments are consistent with this goal.

Goal 16 (Estuarine Resources), Goal 17 (Coastal Shorelands), Goal 18 (Beaches and Dunes), and Goal 19 (Ocean Resources) govern areas along the ocean. Since Keizer is not located along the coast these goals are not applicable.

In consideration of the above findings, the proposed zone code revisions comply with all applicable statewide land use goals and with all applicable administrative rules which implement the relevant goal.

5. **Section 3.111.04.D - The amendment is appropriate as measured by at least one of the following criteria:**
- a. It corrects identified error(s) in the previous plan.
 - b. It represents a logical implementation of the plan.
 - c. It is mandated by changes in federal, state, or local law.
 - d. It is otherwise deemed by the council to be desirable, appropriate, and proper.

FINDINGS: The proposed text amendments will revise the Keizer Code. The changes proposed will allow *drive-thru windows or car service associated with eating and drinking places* as a Conditional Use within the Commercial Mixed Use (CM) zone in Keizer Station Area B. The change will allow for the possibility of future development of the site and the City Council has, by this adoption, determined the proposed text revisions are desirable, appropriate, and proper. As such, staff finds the proposal complies with this criterion.

MEMORANDUM

To: Shane Witham
City of Keizer, Oregon

From: Anna Lahey, P.E., Kimley-Horn and Associates
On behalf of Raising Cane's

Date: 06/25/2025

Subject: Relocating from 2335 Chemawa Road NE to 2255 Lockhaven Dr NE, Keizer, Oregon
for a Proposed Raising Cane's Restaurant

Raising Cane's is interested in developing a new drive-through restaurant in Keizer, Oregon. The original site chosen was a 1.36-acre property located at 2335 Chemawa Road NE in Keizer, Oregon, 97303. The property is within Area B of the Keizer Station Master Plan. Raising Cane's previously requested a text amendment to the Keizer Development Code to allow for drive-through use in the Commercial Mixed Use (CM) zone, specifically within Keizer Station Area B. Since this text amendment was applied for, Raising Cane's has pivoted to a site just west of the initial property across Keizer Station Blvd, which also requires a text amendment.

When Raising Cane's originally looked at the 2335 Chemawa Road parcel, they did not know that the adjacent parcel at 2255 Lockhaven Dr NE road was available. It wasn't until after several discussions with the developer that they discovered it was available.

Further, the Raising Cane's team, including Kimley-Horn as the consulting civil and traffic engineer, identified potential challenges with traffic and circulation at 2335 Chemawa Road. The challenges include:

- A single egress point into the shared drive (Chemawa Way NE) with the Keizer Transit Center creates potential traffic conflicts at peak dining and peak transit times
- During grand opening, Raising Cane's typically receives an increased amount of traffic, which the Raising Cane's team is well-equipped to handle traffic control management. However, this site would not leave many solutions for traffic control for expected queuing due to the shared drive and access with the Keizer Transit Center.
- Access from Chemawa Road would be restricted to a right-in only, with no guarantee that any point of entry would be allowed by ODOT/the City
 - o Once vehicles enter the site from Chemawa Road, they would conflict with vehicles exiting the drive-through (taking a left would send them the wrong way towards the drive-through)
- Inventory deliveries would be restricted to 36' trailers due to site access constraints

The advantages of switching to the site at 2255 Lockhaven Road Dr NE include:

- The internal access road planned for the development at 2255 Lockhaven Road would allow for queueing during peak hours without impacting adjacent public streets.
- The future development may also allow vehicles to exit to the north towards Keizer Station Blvd via an existing signal, which would create a safer and more direct path for vehicles to egress towards the east
- Due to the parcel configuration, the site plan at 2255 Lockhaven Dr NE has 10 additional drive-through queuing spaces and at least 10 more queuing spaces internal to the site for high-traffic times like grand opening
- Dumpster location is separate from building access removing conflicts with delivery vehicles, and passenger vehicles during normal operations

Signed,

Kimley-Horn and Associates, Inc.



By: Anna Lahey, P.E.

