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**KEIZER PLANNING COMMISSION**

**Wednesday, April 8, 2026, 6:00 PM  
Robert L. Simon Council Chambers  
930 Chemawa Road NE  
Keizer, Oregon**

1. **CALL TO ORDER**
2. **ANNUAL VOLUNTEER RECOGNITION ~ BY LESLIE RISEWICK**
3. **APPROVAL OF MINUTES**
  - a. February 2026
4. **APPEARANCE OF INTERESTED PERSONS**

*This time is made available for those who wish to speak about an issue that is not on the agenda.*
5. **PUBLIC HEARING:**
  - a. Text Amendment Case 2026-02: Amending Keizer Code Appendix A (multiple sections) pertaining to child care allowances in order to provide consistency with state law. In addition, amending Section 3.101.04 to correct an identified error in the process for alternative design review for a detached ADU located in a front yard.
6. **NEW-OLD BUSINESS/STAFF REPORT**
7. **YOUTH LIAISON REPORT**
8. **COUNCIL REPRESENTATIVE REPORT**
9. **COMMISSIONER REPORTING TO COUNCIL: LINDSEY KING ON APRIL 20TH AT 6PM**
10. **NEXT MEETING: MAY 13TH**
11. **ADJOURNMENT**





**MINUTES**  
**KEIZER PLANNING COMMISSION**  
Wednesday, February 11, 2026  
Robert L. Simon Council Chambers  
930 Chemawa Road NE  
Keizer, Oregon

**1. CALL TO ORDER** **CALL TO ORDER:** Chair Matt Lawyer called the meeting to order at 6:03 pm.

**Present:**

Matt Lawyer, Chair  
Jeremy Grenz, Vice Chair  
Larry Scruggs  
Lindsey King  
Fernando Lopez  
Robb Witters

**Council Liaison Present:**

Councilor Juran

**Youth Liaison Present:**

Talia Mesecar

**Staff Present:**

Shane Witham, Planning Director  
Joseph Lindsay, City Attorney  
Dawn Wilson, Deputy City Recorder

**Absent:**

Frank Hostler

**2. APPROVAL OF MINUTES**

**a. January 2026** Commissioner Grenz moved for approval of the January 2026 Minutes as presented. Commissioner Scruggs seconded. Motion passed unanimously as follows: Lawyer, King, Hostler, Grenz, Scruggs, Witters, and Lopez in favor.

**3. APPEARANCE OF INTERESTED PERSONS** There were no interested persons present.

**4. NEW-OLD BUSINESS/STAFF REPORT**

**a. Strategic Plan** Planning Director Shane Witham summarized the staff report and asked the Planning Commissioners to review the Strategic Plan and consider growth and housing development, particularly as they relate to the Planning Commission's role and responsibilities. Mr. Witham invited questions.

Chair Lawyer asked if this document had Planning Commission actions. Mr. Witham confirmed that the document didn't change business as usual with the Strategic Plan in place. Chair Lawyer felt that it would be good to work backwards and deconstruct the work when having a conversation to see if the Planning Commission was staying aligned with the Strategic Plan.

Commissioner Scruggs asked about the timeline and who would implement the tasks. Mr. Witham shared that the Strategic Plan was a four-year plan and a living document and would be accomplished by the City on a whole. He noted that the Planning Commission would be involved with the Transportation System Plan update. Chair Lawyer suggested that the Commission ask themselves if they're meeting the objectives and what they could do to make sure the goals were met.

## **5. TRAINING ON QUASI-JUDICIAL PROCESSES BY CITY ATTORNEY JOSEPH LINDSAY**

### **a. Quasi-judicial Hearing Considerations**

Chair Lawyer emphasized the importance of understanding the process to save the City Attorney time with court matters.

City Attorney Joseph Lindsay presented on the Quasi-Judicial Hearing Process. He explained that Quasi-Judicial was similar to acting like a judge. The qualities that judges have include being focused, unbiased, impartial, objective, having a good judicial temperament, and making matters important. Mr. Lindsay suggested that members ask themselves if they had any communication about a case and if they could still be impartial.

Mr. Lindsay explained his duty to read the rules before hearings—and he would ask each member if they had Ex Parte Contact, a Conflict of Interest, or any Bias. Communications, hearing or receiving information, and visiting a website pertaining to the case meant that the member would need to declare this on the record so that this information could be rebutted.

Mr. Lindsay noted that the rules didn't preclude the Commissioners from speaking with the Planning Director or City Attorney. If something was a close call or when in doubt, Mr. Lindsay recommended disclosing the information on the record.

Questions were encouraged to be asked of Mr. Witham or Mr. Lindsay prior to the hearings. Mr. Lindsay provided a copy of the Planning Commission's rules in Resolution No. R2025-1.

Chair Lawyer commented that if outside sources found that there was Ex Parte Contact, and it wasn't declared on the record, it would be an issue because the member would need to explain themselves from the dais to the

media.

Before the Hearing (in accordance with the Rules of Procedure):

Mr. Lindsay shared that Actual Conflicts of Interest needed to be declared pertaining to financial gain or loss and not have participation in the discussion. A Potential Conflict of Interest needed to be explained on the record and the Commissioner could still participate in the discussion. Mr. Lindsay explained how to consider potential financial gain or loss having to do with the members, their family, household members, or a business.

Councilor Juran commented that even if everyone does everything right, they could still have a claim against them. Mr. Lindsay shared that the negative would need to be proved. Chair Lawyer asked that, at bare minimum, to just declare a Potential Conflict of Interest.

Chair Lawyer encouraged members to contact Mr. Lindsay if they wanted to have a conversation off the record. Mr. Witham summarized that the City staff's interest was to protect the validity of the approval or denial process because of the corresponding appeal rights.

Mr. Lindsay explained the meaning of Bias, which was a prejudice or prejudgment of the facts to a high degree—and to be capable of rendering an objective decision.

During the Hearing:

Mr. Lindsay suggested that the Chair bring folks back to the criteria and what was relevant to the criteria. Mr. Lindsay noted that the Commissioners were encouraged to ask questions. He asked the Commissioners to consider if they had heard enough evidence and thought additional time was needed by keeping the record held open to receive additional written information.

After the Hearing:

Mr. Lindsay shared that if someone wanted a continuance, then the law was different for after the hearing. If the Commission allowed the continuance, then the Commission had to state the date, time, and place at least seven days out from the initial hearing. He suggested getting a waiver on the record for the additional 7 days allowed by State Statute and 120-day limitations to avoid additional extensions.

Mr. Lindsay spoke about the deliberation time when arguments could be made from the facts. He noted that arguments were not evidence. If there was new evidence that the Commission wanted in the record, the record could be reopened.

Commissioner Witters asked about the burden of proof and asked if his vote should be no if the applicant only met the majority of the criteria. Mr. Lindsay recommended that the Commission deliberate in an effort for the majority of

the Commissioners to reach an agreement. Mr. Lindsay shared that if the Commission felt a condition wasn't being met, the Commission could require certain criteria. Mr. Lindsay pointed out that the applicant had the burden of proof.

Commissioner King shared an example with a conditional use permit and how the applicant wasn't meeting the criteria with the majority of the Commission's vote. Mr. Lindsay noted that the applicant could reapply if they were denied the permit and the applicant could argue the denial in front of the City Council.

Chair Lawyer suggested reading the packets prior to the meetings, considering potential or recommended conditions, and asking Mr. Witham questions prior to hearings.

There was discussion about written form letters and testimony in an effort to keep the speaking time to a minimum.

Mr. Lindsay offered for the Commissioners to email him with any questions they may have after the meeting.

Commissioner Scruggs recommended that the Commissioners be careful what they say, regardless of where they were when there were highly controversial matters.

Mr. Lindsay noted that Commissioners couldn't speak for the whole body to the media unless the entire body agreed.

**6. COUNCIL  
REPRESENTATIVE  
REPORT**

Councilor Kyle Juran expressed his appreciation to Chair Lawyer for the work he did to have the Gold Star Memorial Monument installed. Chair Lawyer commented about the Gold Star Family and recognized the importance of the monument, monetary donations, and volunteerism that made this happen. Chair Lawyer shared that the Woody Williams Foundation said that this was the fastest project they have ever had.

**7. COMMISSIONER  
REPORTING TO  
COUNCIL: Frank  
Hostler on  
TUESDAY,  
February 17th at  
6pm**

Commissioner Scruggs would report to City Council on February 17th.

**8. NEXT MEETING:  
March 11th**

There was a consensus to cancel the March meeting.

Youth Liaison Talia Mesecar shared that McNary students were waiting to hear back from the colleges.

Chair Lawyer expressed appreciation for Public Works Director Bill Lawyer's 36 years of dedicated service to the City of Keizer and noted that he would be greatly missed. The Chair also expressed confidence that, following Mr. Lawyer's retirement, Keare Blaylack would serve the City well as Public Works Director.

Chair Lawyer noted that February 23rd would be the listening session for the Keizer Parks Master Plan, and March 14th at 9:00 a.m. would be the 16th Annual Event Center Clean-up.

**9. ADJOURNMENT** Meeting adjourned at: 7:43 p.m.

Minutes approved: \_\_\_\_\_



To: Planning Commission  
From: Shane Witham, Planning Director  
Subject: Keizer Code Appendix A - Multiple Sections

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### **Proposed Motion**

I move the Planning Commission recommend approval of the proposed text amendments to City Council, along with any other identified changes necessary to maintain consistency within the Keizer Code.

#### **I. Summary**

The proposed text amendments affect 2 separate issues. The first issue addressed will provide for consistency with state laws governing child care uses. The second issue addressed is to correct an error in the Code that was brought to the attention of staff regarding the process for an alternative design review for an ADU located in the front yard of a property.

#### **II. Background**

- A. It was brought to staff's attention that state rules and the licensing process governing child care uses have changed, which necessitated updates to the Code. There are multiple code sections that are proposed to be changed which will clarify the allowances for child care uses. Specifically, the requirement for an operator of a child care use to live in the home the child care is located in was changed and the State of Oregon has preempted the City's ability to regulate that particular aspect.
  - 1. The following sections are being modified to clarify the definitions and categories of child care uses: Section 1.200, 2.102, 2.103, 2.104, 2.105, 2.106, 2.107, 2.108, 2.110, 2.113, 2.119, 2.130.
  - 2. The language proposed provides for consistency with state laws and the state licensing process, which will help eliminate confusion over what is allowed.
- B. Section 3.101.04 is a land use process chart which staff found contained an error pertaining to the process for approving an Alternative Design Review for a detached ADU (accessory dwelling unit) located in a front yard. The process is correctly identified as a type 1-C process but contained inaccurate information as to the approval and appeal authority. Section 3.101.01.C, along with Section 3.202.03 outline the process for Type 1-C reviews, and unfortunately the chart in 3.101.04 was inconsistent with the process outlined in the Code. Therefore, staff proposed to

correct this issue.

### III. **Current Situation**

- A. Currently, the development code is inconsistent with State Law governing child care uses. The terminology used creates confusion and the City's requirements for conditional use permit approval at certain thresholds and situations has been preempted by State law. The proposed changes for child care uses will align the development code with state law and provide clear and consistent regulations for both staff and citizens to look to for child care uses.
- B. The code contains an error in the land use chart contained in Section 3.101.04 which is inconsistent with the other governing sections of the development code. The proposed change to the chart will correct this error.

### IV. **Analysis**

- A. **Strategic Impact** - not applicable
- B. **Financial** - not applicable
- C. **Timing** - The public hearing has been noticed and identified as the time for Planning Commission to consider this change.
- D. **Policy/Legal** - The code identifies the process for a text amendment, which has been followed. Appropriate notices have been sent, and the time has been set for the public hearing to consider the proposed changes.

### V. **Alternatives**

- A. Recommend approval of the proposed changes to City Council for consideration
- B. Recommend approval of the proposed changes with any identified modifications to the City Council for consideration.
- C. Recommend making no change to City Council - this would result in the City being inconsistent with state laws regulating child care uses.

### VI. **Recommendation**

Staff recommends that Planning Commission consider the proposed changes and recommend approval of the proposed changes with identified modifications to City Council for consideration.

### **Attachments**

- 1. 1.200.\_\_\_\_DEFINITIONS
- 2. 2.102.\_\_\_\_SINGLE\_FAMILY\_RESIDENTIAL\_\_RS\_(1)
- 3. 2.103.\_\_\_\_LIMITED\_DENSITY\_RESIDENTIAL\_\_RL\_
- 4. 2.104.\_\_\_\_MEDIUM\_DENSITY\_RESIDENTIAL\_\_RM\_(1)
- 5. 2.105.\_\_\_\_HIGH\_DENSITY\_RESIDENTIAL\_\_RH\_
- 6. 2.106.\_\_\_\_RESIDENTIAL\_COMMERCIAL\_\_RC\_

7. 2.107. \_\_\_ MIXED\_USE \_\_\_ MU\_ (1)
8. 2.108. \_\_\_ COMMERCIAL\_OFFICE \_\_\_ CO\_ (1)
9. 2.110. \_\_\_ COMMERCIAL\_MIXED\_USE \_\_\_ CM\_ (1)
10. 2.113. \_\_\_ INDUSTRIAL\_BUSINESS\_PARK \_\_\_ IBP\_ (1)
11. 2.119. \_\_\_ GENERAL\_EMPLOYMENT \_\_\_ EG\_ (1)
12. 2.130 \_\_\_ RIVER\_CHERRY\_OVERLAY\_DISTRICT \_\_\_ RCOD\_
13. Sec. 3.101.04. \_\_\_ Type\_IV\_actions\_Summary.

## **1.200. DEFINITIONS**

### **Sec. 1.200.01. General provisions.**

- A. *General and specific terms.* The definitions contained in this section include those that are applicable to the entire Keizer Development Code (general), and those terms that are applicable to specific sections (specific). Terms used in specific sections are identified as follows:

(Adult)	Adult Entertainment Business; section 2.418
(Flood)	Floodplain Overlay Zone; section 2.122
(Greenway)	Greenway Management Overlay Zone; section 2.123
(Historic)	Historic Resources; section 2.127 (9/18)
(RV park)	Recreational Vehicle Spaces and Park; section 2.412
(Signs)	Signs; section 2.308

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

### **Sec. 1.200.02. Grammatical interpretation.**

Words used in the masculine or feminine include all genders. Words used in the present tense include the future, and the singular includes the plural. The word "shall" is mandatory. Where terms or words are not defined, they shall have their ordinary accepted meanings within the context of their use. The contemporary edition of Webster's Third New International Dictionary of the English Language (principal copyright 1961) shall be considered as providing accepted meanings. (12/19)

### **Sec. 1.200.03. Diagrams.**

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

### **Sec. 1.200.04. Definitions.**

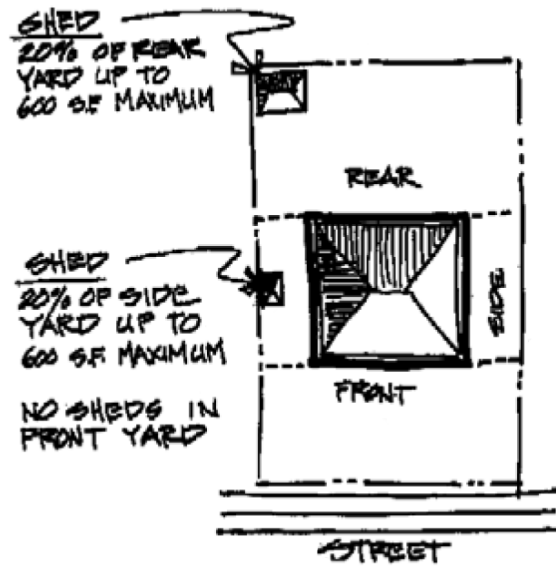
The following words and phrases, when used in this ordinance, shall have the meanings ascribed to them in this section:

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

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

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

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



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

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

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

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

*Alteration (Historic).* A change, addition, or modification to the exterior of a building. (5/98)

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

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

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

*Appeal (Flood).* A request for a review of the interpretation of any provision of this ordinance or a request for a variance. (12/20)

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

*Approved.* Means approved by the community development director, hearings officer, planning commission or city council having the authority to grant such approval. (5/98)

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

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

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

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

1. When the legal instrument creating the property shows the boundary extending into a public street right-of-way, then, for purposes of computing, the lot or parcel area shall be the street right-of-way line or, if the right-of-way line cannot be determined, a line running parallel to and 30 feet from the center of the traveled portion of the street. (5/98)
2. Private access easements, and the access strips to flag lots, shall not be included when calculating the area of a lot or parcel. (5/98)

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



*Attached dwellings.* Two or more dwelling units on separate properties that share a common wall for a full story that adjoins enclosed habitable space on each side. Attached dwellings shall be joined along a common wall for no less than one story for a distance of at least ten feet. (1/02)

*Auto-oriented development.* Development that is designed to accommodate customers who use automobiles to travel to the site. 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. (7/25)

*Automobile, recreational vehicle or trailer sales.* A lot used for display, sale, or rental of new or used automobiles, recreational vehicles or trailers and where repair work is limited to minor, incidental repairs. (5/98)

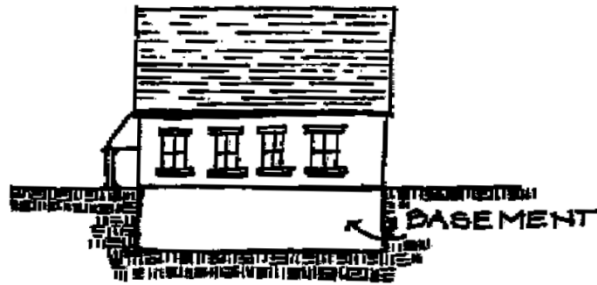
*Awning (Signs).* A shelter supported entirely from the exterior wall of a building and composed of non-rigid materials, except for the supporting framework. (5/98)



*Base flood (Flood).* The flood having a one percent chance of being equaled or exceeded in any given year. (12/20)

*Base flood elevation (BFE) (Flood).* The elevation to which floodwater is anticipated to rise during the base flood. (12/20)

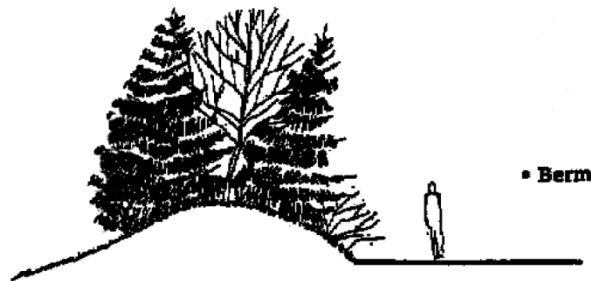
*Basement.* That habitable portion of a building between floor and ceiling which is all below, or partly below and partly above, grade but so located that for all exterior walls, the average vertical distance from grade to the floor below is equal to or greater than the vertical distance from grade to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



*Basement (Flood).* Any area of the building having its floor subgrade (below ground level) on all sides. (12/20)

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

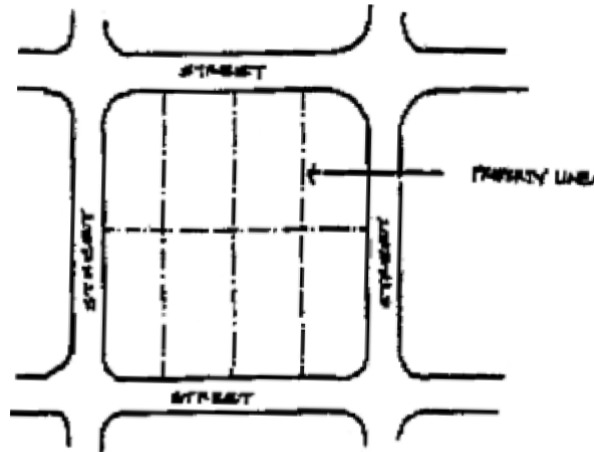
*Berm.* A linear mound of soil. (5/98)



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

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

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



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

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

*Building face (Signs).* The single wall surface of a building facing a given direction. (5/98)



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

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



*Building official.* An individual empowered by the city to administer and enforce the Uniform Building Code (UBC). (5/98)

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

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

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

*Canopy sign (Signs).* A sign hanging from a canopy or eve, at an angle to the adjacent wall. (5/98)



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

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

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

*Certified Family Child Care Home.* A child care facility that is certified to care for no more than 16 children, and is located in a building constructed as a single-family home.

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

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

*Child care center.* A child care facility that is certified to provide care and education of children, generally in a commercial or nonresidential setting, that is not a certified family child care home.

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

*Church.* See *House of worship.* (5/98)

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

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

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

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

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

*Community (Flood).* The city limits of the City of Keizer. (12/20)

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

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

*Conditional use.* A use, which is permitted in a particular zone or elsewhere in this ordinance only after review and approval as a conditional use, including nonconforming conditional uses. (5/98)

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

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

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

*Corner lot.* See *Lot, corner.* (5/98)

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

*Critical facility (Floods).* A facility for which even a slight chance of flooding might be too great. Critical facilities include, but are not limited to, schools, nursing homes, hospitals police, fire and emergency response installations, installations which produce, use or store hazardous materials or hazardous waste. (12/20)

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

*Decision.* The formal act by which the community development director, hearings officer, planning commission or city council makes its final disposition of a land use action. (5/98)

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

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

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

*Development or redevelopment.* Man-made changes to property, including, but not limited to, buildings or other structures, mining, dredging, filling, grading, paving, excavation, or drilling operations. (1/23)

*Development (Floods).* Any man-made change to improved or unimproved real estate, including, but not limited to, buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations or storage of equipment or materials. (12/20)

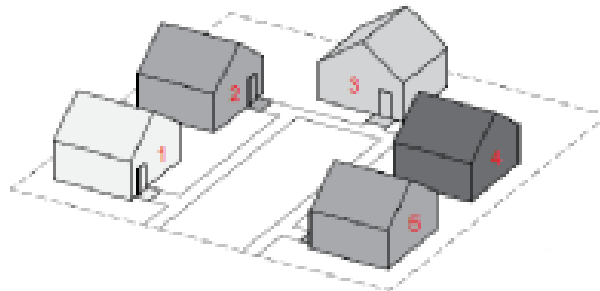
*Dormitory.* A building, under single management, where group sleeping accommodations are provided for in one room or in a series of closely associated rooms and where meals may be provided. (5/98)

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

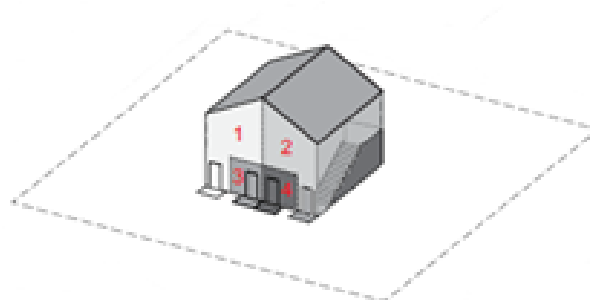
*Drop station.* Vehicles or structures of less than a total of 400 square feet maintained on a lot solely to provide shelter for no more than four types of recyclable material (such as paper, tin cans, plastic and bottles) deposited by members of the public and collected at regular intervals for further transfer or processing elsewhere. (5/98)

*Duplex.* See *Dwelling, two-household (duplex)*. (6/22)

*Dwelling, cottage cluster.* A grouping of no less than four detached buildings per acre designed exclusively for the occupancy of separate households living independently of each other in each detached building or cottage. Each building shall have a footprint of less than 900 square feet, and the buildings must be oriented around a common courtyard. (6/22)



*Dwelling, four-household (quadplex).* A building containing four dwelling units designed exclusively for occupancy by four households living independently of each other. (6/22)



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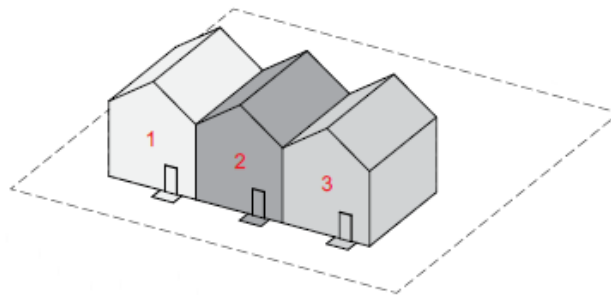
*Dwelling unit.* One or more rooms designed for occupancy by one household providing complete, independent living facilities, including permanent provisions for living, sleeping, eating cooking, and sanitation. (6/22)

*Dwelling, middle housing.* Refers to housing types required under House Bill 2001 (2019) and associated Administrative Rules. These housing types include duplexes, triplexes, quadplexes, townhouses, and cottage clusters. (6/22)

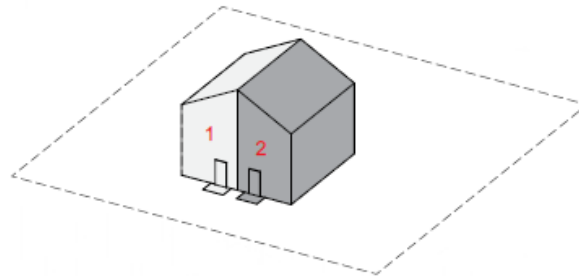
*Dwelling, multi-household (multifamily).* A building containing five or more dwelling units designed for occupancy by five or more households living independently of each other. (6/22)

*Dwelling, single-household (single-family detached).* A detached building containing one dwelling unit designed exclusively for occupancy by one household. (6/22)

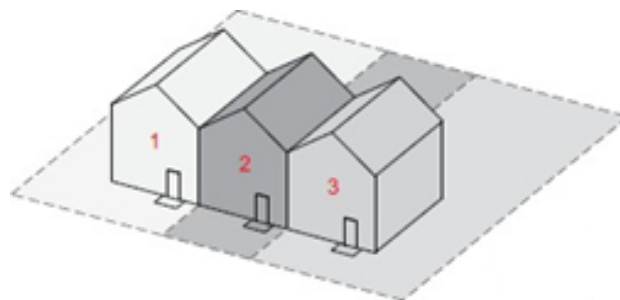
*Dwelling, three-household (triplex).* A building containing three dwelling units designed exclusively for occupancy by three households living independently of each other. (6/22)



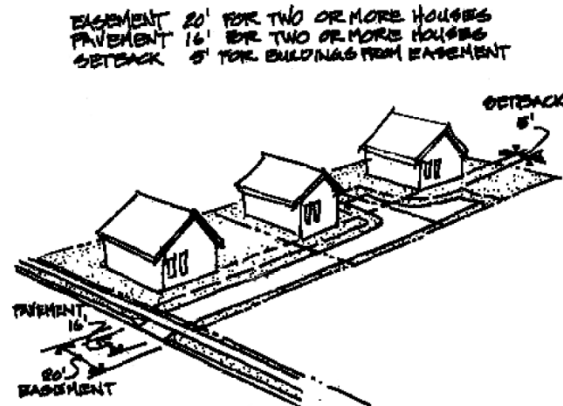
*Dwelling, townhouse.* A building containing one dwelling unit designed exclusively for occupancy by one household that is part of a row of two or more attached dwellings and shares at least one common wall with an adjacent dwelling. (6/22)



*Dwelling, two-household (duplex).* A detached building containing two dwelling units designed exclusively for occupancy by two households living independently of each other. (6/22)



*Easement.* A grant of right to use an area of land for a specific purpose. (5/98)



*Employees.* All persons, including proprietors, performing work on a premises. (5/98)

*Encroachment (Flood).* Any obstruction in the floodplain which affects flood flows. (5/98)

*Family.* An individual or two or more persons related by blood, marriage, adoption, or legal guardianship, or a group of not more than five unrelated individuals, living together as a single housekeeping unit. (5/98)

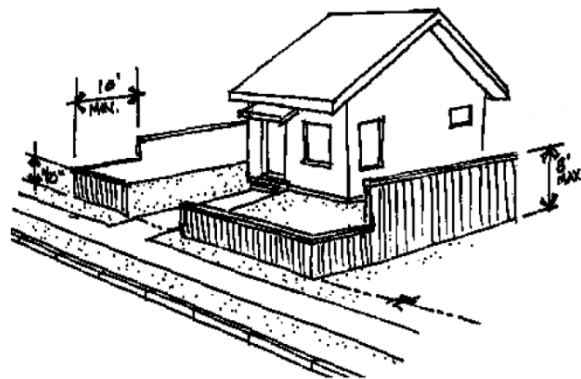
*Family day care provider.* A day care provider who regularly provides child care in the family living quarters of the home of the provider. (5/98)

*Farming.* The use of land for purposes defined in ORS chapter 215. (5/98)

*Federal Emergency Management Agency (FEMA) (Flood).* The federal organization responsible for administering the National Flood Insurance Program. (5/98)

*Fence.* An unroofed barrier or an unroofed enclosing structure or obstruction constructed of any materials, including, but not limited to, wire, wood, cement, brick, and plastic. (5/98)

*Fence, sight-obscuring.* A fence arranged or constructed to obstruct vision. (5/98)



*Fill (Flood).* The placement of any material on the land for the purposes of increasing its elevation in relation to that which exists. Fill material includes, but is not limited to, the following: soil, rock, concrete, bricks, wood stumps, wood, glass, garbage, plastics, metal, etc. (5/98)

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*Final decision.* A decision made in accordance with, and pursuant to, the provisions of this ordinance, or decisions made by the land use board of appeals or the courts, after the applicable appeal periods have expired. (5/98)

*Finish ground level (Signs).* The average elevation of the ground (excluding mounds or berms, etc., located only in the immediate area of the sign) adjoining the structure or building upon which the sign is erected, or the curb height of the closest street, whichever is the lowest. (5/98)

*Flag lot.* See *Lot, flag.* (5/98)

*Flashing sign (Signs).* A sign any part of which pulsates or blinks on and off, except time and temperature signs and message signs allowed by conditional use. (5/98)

*Flood or flooding (Flood):*

- (a) A general and temporary condition of partial or complete inundation of normally dry land areas from: (12/20)
  - (1) The overflow of inland or tidal waters. (12/20)
  - (2) The unusual and rapid accumulation or runoff of surface waters from any source. (12/20)
  - (3) Mudslides (i.e., mudflows) which are proximately caused by flooding as defined in paragraph (a)(2) of this definition and are akin to a river of liquid and flowing mud on the surfaces of normally dry land areas, as when earth is carried by a current of water and deposited along the path of the current. (12/20)
- (b) The collapse or subsidence of land along the shore of a lake or other body of water as a result of erosion or undermining caused by waves or currents of water exceeding anticipated cyclical levels or suddenly caused by an unusually high-water level in a natural body of water, accompanied by a severe storm, or by an unanticipated force of nature, such as flash flood or an abnormal tidal surge, or by some similarly unusual and unforeseeable event which results in flooding as defined in paragraph (a)(1) of this definition. (12/20)

*Flood insurance rate map (FIRM) (Flood).* The official map of a community on which the Federal Insurance Administrator has delineated both the special hazard areas and the risk premium zones applicable to the community. A FIRM that has been made available digitally is called a digital flood insurance rate map (DFIRM). (12/20)

*Flood insurance study (FIS) (Flood).* An examination, evaluation and determination of flood hazards and, if appropriate, corresponding water surface elevations, or an examination, evaluation and determination of mudslide (i.e., mudflow) and/or flood-related erosion hazards. (12/20)

*Floodplain management (Flood).* The operation of an overall program of corrective and preventive measures for reducing flood damage, including, but not limited to, emergency preparedness plans, flood control works, and floodplain management regulations. (12/20)

*Floodproofing (Flood).* A combination of structural and non-structural additions, changes, or adjustments to structures which reduce or eliminate risk of flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents. (12/20)

*Floodway (Flood).* The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height. Also referred to as "Regulatory Floodway." (12/20)

*Floor area.* The sum of the gross horizontal areas of the several floors of a building, measured from the exterior faces of the exterior walls or from the centerline of walls separating two buildings, but not including:

- 1. Attic space providing headroom of less than seven feet;

2. Basement, if the floor above is less than six feet above grade;
3. Uncovered steps or fire escapes;
4. Private garages, carports, or porches;
5. Accessory water towers or cooling towers;
6. Off-street parking or loading spaces. (5/98)

*Forest use.* The use of land for the production of trees, the processing of forest products, open space, water sheds, wildlife and fisheries habitat, vegetative soil stabilization, air and water quality maintenance, outdoor recreational activities or related support services, wilderness, or livestock grazing. (5/98)

*Freestanding sign (Signs).* A sign supported by one or more uprights, poles or braces placed in or upon the ground, or a sign supported by any structure primarily for the display and support of the sign. (5/98)



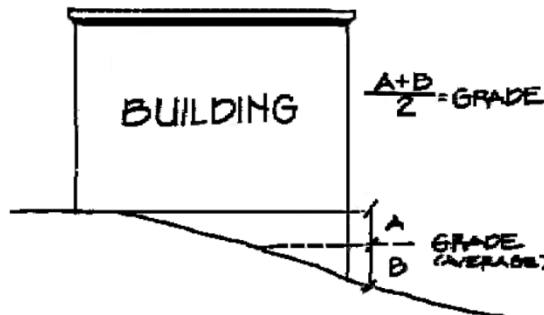
*Front lot line.* See *Lot line, front.* (5/98)

*Frontage.* That portion of a lot or parcel which abuts a public street. (5/98)

*Functionally dependent use (Flood).* A use which cannot perform its intended purpose unless it is located or carried out in close proximity to water. The term includes only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and ship building and ship repair facilities, and does not include long-term storage or related manufacturing facilities. (12/20)

*Garage.* A building, or portion of a building, used for the storage or parking of a vehicle. (5/98)

*Grade.* The average elevation of the finished ground at the centers of all walls of a building, except that if a wall is parallel to and within five feet of a sidewalk, the sidewalk elevation opposite the center of the wall shall constitute the ground elevation. (5/98)



*Group living.* Characterized by the long-term (i.e., more than 28 days) residential occupancy of a structure by a group of people who do not meet the definition of "household living." The size of the group typically is larger than

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the average size of a household. Group living structures do not include self-contained units but rather have common facilities for residents, including those for dining, social and recreational and laundry. Group living is differentiated into two subcategories based on whether residents receive personal care, training and/or treatment:

- a. *Room and board facilities* where no personal care, training and/or treatment is provided include examples such as dormitories, fraternities, sororities, boarding houses, monasteries and convents, residential hotels, lodging houses operated by organizations for members only, and similar uses.
- b. *Long-term facilities* where some level of care is provided includes examples such as hospice, nursing and personal care facilities, homes for the deaf or blind, and similar uses.

Exceptions include:

- (1) Lodging where tenancy may be arranged for periods less than one month is considered a hotel or motel use and is classified in the retail sales and service category; however, in certain situations, lodging where tenancy may be arranged for periods less than one month may be classified as a community service use such as short-term housing or mass shelters.
- (2) Facilities for people who are under judicial detainment and are under the supervision of sworn officers are included in the detention facilities category. (12/19)

*Habitable space.* A room or space in a structure for living, sleeping, eating, or cooking. Bathrooms, toilet compartments, closets, halls, storage or utility space, and similar areas are not considered habitable space. (5/98)

*Hearings action.* Those actions where opportunity for a public hearing of a land use action is provided by this ordinance. (5/98)

*Hearings officer.* The person(s) so designated by the council to conduct a quasi-judicial public hearing for certain land use actions. (5/98)

*Highest adjacent grade (Flood).* The highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure. (12/20)

*Historic structure.* Any structure that is: (9/18)

1. Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register; (9/18)
2. Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district; (9/18)
3. Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of Interior; or (9/18)
4. Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either: (9/18)
  - a. By an approved state program as determined by the Secretary of the Interior; or (9/18)
  - b. Directly by the Secretary of the Interior in states without approved programs. (9/18)

*Home occupation.* A business or professional activity engaged in by a resident of a dwelling unit as a secondary use of the residence and in conformance with the provisions of the ordinance. Such term does not include the lease or rental of a dwelling unit, the rental of guest rooms on the same premises, or the operation of a Registered Family Child Care Home, a Certified Family Child Care Facility or a Certified Family Child day eCare Facility. (5/98)

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*Hotel.* Any building in which lodging is provided to guests for compensation and in which no provision is made for cooking in individual rooms. (5/98)

*Household living.* Characterized by the occupancy of a residential dwelling unit by a household. Tenancy is arranged on a month-to-month basis or for a longer period. Uses where tenancy may be arranged for a shorter period (i.e., less than one month) are not considered residential; they are considered to be a form of transient lodging (retail sales and service and community service use categories). Apartment complexes that have accessory services such as food service, dining rooms, and housekeeping are included as household living, as are single room occupancy housing (SROs) when at least two-thirds of the units are rented on a monthly basis and meals are prepared by the residents.

Examples include living in houses, duplexes, apartments, condominiums, retirement center apartments, manufactured housing, houseboats, other structures with self-contained dwelling units, and SROs depending on the number of units rented on a monthly basis and meal preparation.

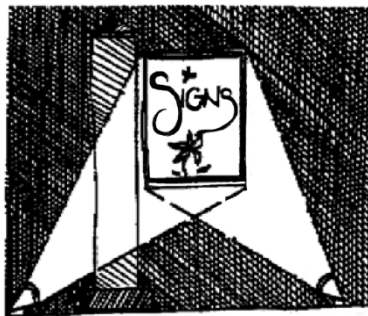
Exceptions include:

- (1) Lodging in a dwelling unit or SRO where less than two-thirds of the units are rented on a monthly basis is considered a hotel or motel use and is classified in the retail sales and service category.
- (2) SROs that contain programs which include common dining are classified as group living.
- (3) Guest houses that contain kitchen facilities are prohibited as accessory to household living uses.
- (4) In certain situations, lodging where tenancy may be arranged for periods less than one month may be classified as a community service use, such as short-term housing or mass shelter. (12/19)

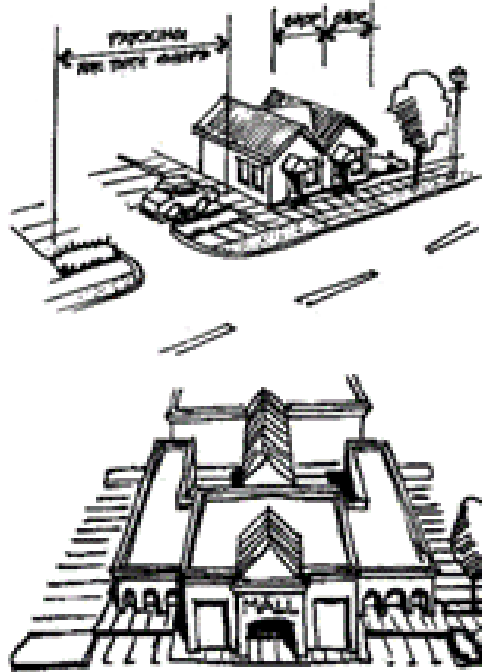
*House of worship.* A church, synagogue, temple, mosque, or other permanently located building primarily used for religious worship. A house of worship may also include accessory buildings for related religious activities and a residence. (5/98)

*Incidental sign (Signs).* A sign which is normally incidental to the allowed use of the property but can contain any message or content. Such signs can be used for, but are not limited to, nameplate signs, warning or prohibition signs, and directional signs not otherwise allowed. (5/98)

*Indirect illumination (Signs).* A source of illumination directed toward such sign so that the beam of light falls upon the exterior surface of the sign. (5/98)

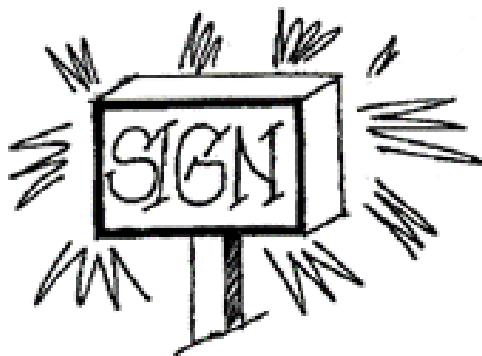


*Integrated business center (Signs).* A group of two or more businesses which are planned or designed as a center, and share a common off-street parking area or access, whether or not the businesses, buildings or land are under common ownership. (5/98)



*Intensification (Greenway).* Any additions which increase or expand the area or amount of an existing use or the level of activity. Remodeling of the exterior of a structure not excluded below is an intensification when it will substantially alter the appearance of the structure. Maintenance and repair usual and necessary for the continuance of an existing use is not an intensification of use. Reasonable emergency procedures necessary for the safety or the protection of property are not an intensification of use. Residential use of lands within the greenway includes the practices and activities customarily related to the use and enjoyment of one's home. Landscaping, construction of driveways, modification of existing structures, or construction or placement of such subsidiary structures or facilities adjacent to the residence as are usual and necessary to such use and enjoyment shall not be considered an intensification for the purpose of this goal. Seasonal increases in gravel operations shall not be considered an intensification of use. (5/98)

*Internal illumination (Signs).* A source of illumination from within a sign. (5/98)



*Joint use sign (Signs).* When two or more businesses combine part or all of their total allowed sign area into freestanding sign for each common frontage of such business. (5/98)



*Junk.* The term "junk," regardless of value, includes, but is not be limited to, any derelict, neglected, or wrecked motor vehicle or parts thereof, glass, paper, waste tire, waste or discarded material, or any of the following old items: machinery or parts thereof, used fixtures, metal, lumber, or wood. For the purposes of this definition, the following meanings apply:

1. *Derelict vehicle* means any used motor vehicle without a valid vehicle license or with an expired license. (5/98)
2. *Neglected vehicle* means a motor vehicle that is missing its engine or transmission but has all of its body parts intact, including fenders, hood, trunk, glass, and tires. (5/98)
3. *Fixture* means any item that is designed to be used indoors or otherwise protected from the elements. This includes, but is not limited to, upholstered furniture, and heating, plumbing, and electrical fixtures. (5/98)
4. *Waste tire* means a tire that is no longer suitable for its original intended purpose because of wear, damage, or defect. (5/98)
5. *Wrecked vehicle* means a motor vehicle that is dismantled, or partially dismantled, or having a broken or missing window or windshield, or lacking a wheel or tire. (5/98)

*Junkyard.* The use of more than 200 square feet of the area of any lot for the storage of salvage materials, including scrap metals or other scrap materials, or for the dismantling or wrecking of automobiles or other vehicles or machinery, whether or not such uses are conducted as a business for profit or otherwise. (5/98)

*kennel.* Any lot or premises on which four or more dogs and/or cats over the age of four months are kept for sale, lease, boarding, or training. (5/98)

*Land division.* Any partition or subdivision of a lot or parcel. (5/98)

*Land use action.* An amendment to the City of Keizer Comprehensive Plan or this ordinance, or a decision on a zone change, variance, conditional use, partitioning or subdivision, or administrative permits, including appeals from any of the foregoing decisions. Issuance of a building permit is not a land use action. (5/98)

*Landscaped.* Areas primarily devoted to the planting and preservation of trees, shrubs, lawn and other organic ground cover, together with other natural or artificial supplements such as watercourses, ponds, fountains, decorative lighting, benches, arbors, gazebos, bridges, rock or stone arrangements, pathways sculpture, trellises, and screens. (5/98)

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*Legislative action.* A land use action involving amendments to the comprehensive plan, the text of this ordinance, or an amendment to the comprehensive plan map or zoning map involving more than five separate property ownerships. (5/98)

*Letter of map change (LOMC) (Flood).* Means an official FEMA determination, by letter, to amend or revise effective flood insurance rate maps and flood insurance studies. The following are categories of LOMC: (12/20)

1. *Conditional letter of map amendment (CLOMA).* A CLOMA is FEMA's comment on a proposed structure or group of structures that would, upon construction, be located on existing natural ground above the base (one percent annual chance) flood elevation on a portion of a legally defined parcel of land that is partially inundated by the base flood. (12/20)
2. *Conditional letter of map revision (CLOMR).* A CLOMR is FEMA's comment on a proposed project that would, upon construction, affect the hydrologic or hydraulic characteristics of a flooding source and thus result in the modification of the existing regulatory floodway, the effective base flood elevations, or the special flood hazard area. (12/20)
3. *Conditional letter of map revision based on fill (CLOMR-F).* A CLOMR-F is FEMA's comment on a proposed project that would, upon construction, result in a modification of the special flood hazard area through the placement of fill outside the existing regulatory floodway. (12/20)
4. *Letter of map amendment (LOMA).* An official amendment, by letter, to the flood insurance rate maps (FIRMs) based on technical data showing that an existing structure, parcel of land or portion of a parcel of land that is naturally high ground, (i.e., has not been elevated by fill) above the base flood, that was inadvertently included in the special flood hazard area. (12/20)
5. *Letter of map revision (LOMR).* A LOMR is FEMA's modification to an effective flood insurance rate map (FIRM) or flood boundary and floodway map (FBFM), or both. LOMRs are generally based on the implementation of physical measures that affect the hydrologic or hydraulic characteristics of a flooding source and thus result in the modification of the existing regulatory floodway, the effective base flood elevations, or the SFHA. The LOMR officially revises the FIRM or FBFM, and sometimes the flood insurance study (FIS) report, and, when appropriate, includes a description of the modifications. The LOMR is generally accompanied by an annotated copy of the affected portions of the FIRM, FBFM, or FIS report. (12/20)
6. *Letter of map revision based on Fill (LOMR-F).* A LOMR-F is FEMA's modification of the special flood hazard area shown on the flood insurance rate map (FIRM) based on the placement of fill outside the existing regulatory floodway. (12/20)
7. *PMR.* A PMR is FEMA's physical revision and republication of an effective flood insurance rate map (FIRM) or flood insurance study (FIS) report. PMRs are generally based on physical measures that affect the hydrologic or hydraulic characteristics of a flooding source and thus result in the modification of the existing regulatory floodway, the effective base flood elevations, or the special flood hazard area. (12/20)

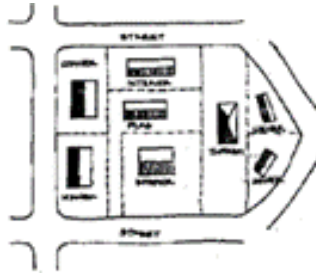
*Livestock.* Domestic animals of types customarily raised or kept on farms for profit or food. (5/98)

*Loading space.* An off-street space or berth on the same lot with a building, or group of buildings, used for the parking of a vehicle while loading or unloading merchandise, materials or passengers. "Loading space" excludes fire lanes, as they are not considered useable space for loading and unloading. (5/98)

*Lot.* A unit of land created by a subdivision as defined in ORS 92.010 in compliance with all applicable zoning, subdivision ordinances; or created by deed or land sales contract if there were no applicable zoning, subdivision or partitioning ordinances, exclusive of units of land created solely to establish a separate tax account. Such lots may consist of a:

1. Single lot of record;

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2. Portion of a lot of record; or
  3. Combination of complete lots of record and portions of lots of record. (5/98)



*Lot area.* The total area of a lot, measured in a horizontal plane within the lot boundary lines, and exclusive of public and private roads and easements of access to other property. For flag-shaped lots, the access strip shall not be included in lot area for the purposes of minimum lot area requirements of this ordinance. (5/98)

*Lot coverage.* Area covered by buildings and by roofed but unenclosed structures, whether or not attached to buildings. Covered structures less than five feet in height and having less than 20 square feet of gross floor area shall not be included in calculating lot coverage. (12/19)

*Lot depth.* The horizontal distance measured from the midpoint of the front lot line to the midpoint of the rear lot line. (5/98)

*Lot of record.* A lawfully created lot or parcel established by plat, deed, or contract as duly recorded in Marion County property records. (5/98)

*Lot width.* The average horizontal distance between the side lot lines, ordinarily measured parallel to the front lot line. (5/98)

*Lot, corner.* A lot abutting on two intersecting streets, other than an alley or private access easement, where the angle of intersecting streets is no greater than 135 degrees. (5/98)

*Lot, flag.* A lot or parcel of land with access by a relatively narrow strip of land between the major portion of the parcel and the point of public access to the parcel, all of which is in the same ownership. (5/98)

*Lot, frontage.* The distance between the two side lot lines measured at the minimum front setback line, parallel to the street line. (5/98)

*Lot, interior.* A lot other than a corner lot. (5/98)

*Lot, through.* An interior lot having frontage on two streets. Lots having their access off a private access easement or adjacent to a private access easement shall not be construed as qualifying as through lots. (6/07)

*Lot line, front.* A lot line abutting a public street, private street, or access easement. In the case of a corner lot, through lot or a lot where vehicular access is provided off an alley and there is no frontage on a public or private street, the front line is based on the structure's orientation and at least two of the following factors:

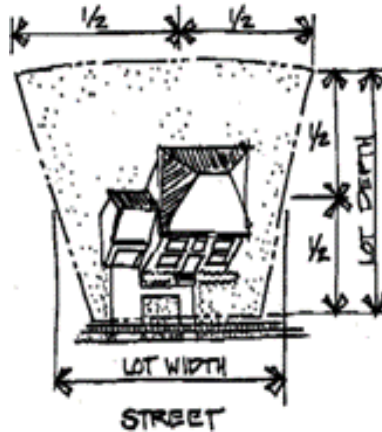
- a. Location of the front door;
- b. Location of the driveway (when accessed off a public or access easement); and/or
- c. Legal street address.

For flag lots and lots with access from an easement, the zoning administrator shall have the authority to designate another line as the front lot line in which case it shall be clearly noted on the final plat. (01/02)

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*Lot line, rear.* A property line which is opposite and most distant from the front lot line. In the case of an irregular, triangular or other shaped lot, a line ten feet in length within the lot, parallel to and at a maximum distance from the front line. (5/98)

*Lot line, side.* Any property line which is not a front or rear lot line. (5/98)



*Lowest floor (Flood).* The lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access or storage, in an area other than a basement area, is not considered a building's lowest floor, provided such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of this ordinance. (5/98)

*Main entrance.* The principle building entrance intended for the use by the general public, employees or residences. A main entrance door may not be a door that is locked during normal business hours. This entrance is designated the address bearing entrance for the purpose of emergency responders. (5/98)

*Major public improvement (Historic).* The expenditure of public funds or the grant of permission by a public body to undertake change in the physical character of property on a resource site, except for the repair or maintenance of existing public improvements. (9/18)

*Manufactured dwelling (Flood).* A structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when connected to the required utilities. The term "manufactured dwelling" does not include a recreational vehicle and is synonymous with manufactured home. (12/20)

*Manufactured dwelling park or subdivision (Flood).* A parcel (or contiguous parcels) of land divided into two or more manufactured dwelling lots for rent or sale. (12/20)

*Manufactured home.* A home, a structure with a Department of Housing and Urban Development label certifying that the structure is constructed in accordance with the National Housing Construction and Safety Standards Act of 1974 (42 U.S.C. 5401 et seq.), as amended August 22, 1981, and constructed after June 15, 1976. (5/98)

*Manufactured home park.* Any place where four or more manufactured homes are located within 500 feet of one another on property under the same ownership, the primary purpose of which is to rent or lease space to any person, or to offer space free in connection with securing the trade or patronage of such person. A person shall not construct a new manufactured home park or add lots to an existing manufactured home park without approval by the Department of Commerce. "Manufactured home park" does not include a lot or lots located within a subdivision being rented or leased for occupancy by no more than one manufactured home per lot if the subdivision was approved pursuant to this ordinance. (5/98)

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*Marijuana grow site.* A marijuana grow site that is registered by the Oregon Health Authority Under ORS 475.304 or applicable state law at a specific location used by a grower to produce marijuana for medical use by specific qualifying patients. (10/14)

*Marijuana processor.* A marijuana processor means a person who processes marijuana items in this state and is licensed by the Oregon Liquor Control Commission under applicable state law. (1/16)

*Marijuana producer.* A marijuana producer means a person who produces marijuana in this state and is licensed by the Oregon Liquor Control Commission under applicable state law. (1/16)

*Marijuana retailer.* A marijuana retailer is a person who sells marijuana items to a consumer in this state and is licensed by the Oregon Liquor Control Commission under applicable state law. (1/16)

*Marijuana wholesaler.* A marijuana wholesaler means a person who purchases marijuana items in this state for resale to a person other than a consumer and is licensed by the Oregon Liquor Control Commission under applicable state law. (1/16)

*Master plan.* A presentation showing the ultimate development lay-out of a parcel or property that is to be developed in successive stages or subdivisions. (5/98)

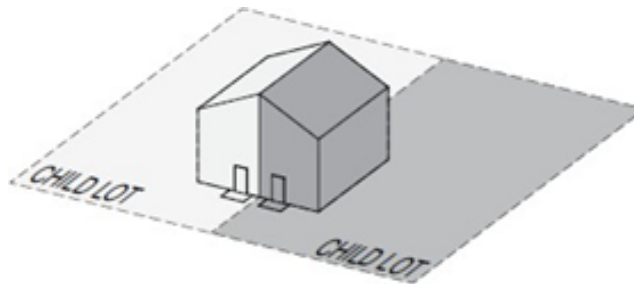
*Mean sea level (Flood).* For purposes of the National Flood Insurance Program, the National Geodetic Vertical Datum (NGVD) of 1929 or other datum, to which base flood elevations shown on a community's flood insurance rate map are referenced. (5/98)

*Medical marijuana facility or facilities.* A medical marijuana facility that is registered by the Oregon Health Authority under ORS 475.300—475.346 or other applicable state law and that sells, distributes, transmits, gives, dispenses or otherwise provides medical marijuana to qualifying patients. In addition, as allowed by state law and applicable regulation only, "early sales" of recreational marijuana is permitted.\*

\*This amendment sunsets on December 31, 2016, and is of no force or effect after such date. (10/15)

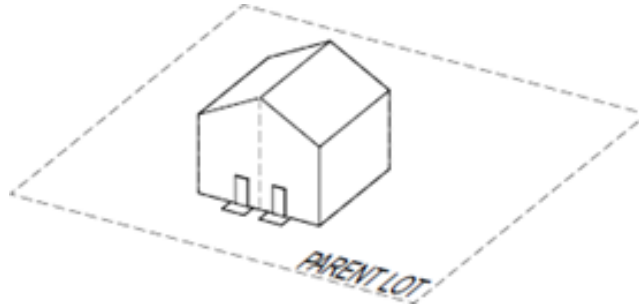
*Message sign (Signs).* A sign which can change its message electronically and is designed to display various messages, including, but not limited to, signs displaying time and temperature. (5/98)

*Middle housing child lot.* A unit of land created from the division of a middle housing parent lot through a middle housing land division for the purpose of having a single dwelling unit per newly created lot or parcel. (6/22)



*Middle housing land division.* A partition or subdivision of a lot or parcel on which the development of middle housing is allowed under state law and the partition or subdivision is processed in accordance with the provisions of ORS ch. 92 and KDC 3.202. The lot or parcel that is the subject of the land division is referred to as the middle housing parent lot; a lot created by the division is referred to as a middle housing child lot. (6/22)

*Middle housing parent lot.* A lot or parcel that is developed, or proposed to be developed, with middle housing, and which may therefore be further divided through a middle housing land division to create middle housing child lots. (6/22)



*Mini-storage warehouse.* An area or areas located within an enclosed building or structure used only in connection with the storage of personal property. (5/98)

*Mobile food vendor.* A non-permanent use that typically is a truck, van, or trailer which has their wheels intact and has been outfitted to prepare and serve food. (9/16)

*Modular or prefabricated home.* A dwelling unit whose components are assembled and brought to the site and erected. The dwelling unit is intended and designed to be placed upon a permanent foundation and substantial construction is needed before it is complete and ready for permanent occupancy. Modular or prefabricated homes are regulated by the Uniform Building Code (UBC). (5/98)

*Motel.* A building or group of buildings on the same lot containing rooms designed for lodging, with or without cooking facilities, which are available for rent and in which each lodging unit has a separate entrance from the building exterior. The term includes auto courts, tourist courts, tourist homes, and motor lodges. (5/98)

*Multi-faced sign (Signs).* A sign which has two or more identical sign faces, contained in a single sign structure. (5/98)



*Multifamily dwelling (Signs).* A residential structure or complex of structures which include five or more separate dwelling units, whether rented or owned by the occupants. (6/22)

*Mural (Signs).* An illustration (with or without words or numbers) which is painted or otherwise applied (without projections) to an outside wall of a structure or inside the window of a structure. (5/98)

*Natural Register Resource.* Buildings, structures, object, sites, or districts listed in the National Register of Historic Places pursuant to the National Historic Preservation Act of 1966 (PL 89-665; 16 U.S.C. 470). (9/18)

*Neighborhood activity center.* A use, or combination of uses, which is a common destination or focal point for community activities, including primary and secondary schools, neighborhood parks and playgrounds and shopping centers. (5/98)

*Neighborhood association.* An association recognized by the city council as being a neighborhood association in accordance with the neighborhood association ordinance. (5/98)

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*New construction.* Structures for which construction was initiated on or after the effective date of this ordinance. (5/98)

*New construction (Flood).* Structure(s) for which the start of construction commenced on or after the effective date of a floodplain management regulation adopted by the City of Keizer and includes any subsequent improvements to such structures. (12/20)

*Nonconforming sign (Signs).* Any sign which lawfully exists prior to the effective date of this chapter but which, due to the requirements adopted herein, no longer complies with the height, area and placement regulations or other provisions of these regulations. (5/98)

*Nonconforming structure or use.* A lawfully existing structure or use at the time this ordinance, or any amendment, becomes effective, which does not conform to the requirements of the zone in which it is located. (5/98)

*Notification area.* An area bounded by a line, parallel to the boundary of a subject lot. As used in this section, "subject lot" includes not only the lot that is the subject of the proceeding for which notice is required but also includes any contiguous lot in which any applicant or owner of the subject lot has either sole, joint, or common ownership, or an option to purchase, in whatever form. In the event that the application does not apply to the entire lot, the boundary of the notification area shall be measured from the lot line, not the boundary of the portion of the lot. (5/98)

*Notification list.* A certified list prepared by a title company, the Marion County Assessor's Office or the city which includes the names and addresses of all property owners within the notification area as shown in the county assessor's records. (5/98)

*Nudity or nude (Adult).* Being devoid of an opaque material covering the human genitals, pubic region, buttocks, and female breasts below a point immediately above the top of the areola and where such opaque material does not simulate the organ covered. (5/98)

*Nursing home.* A home, place or institution which operates and maintains facilities providing convalescent and/or nursing care for period exceeding 24 hours. Convalescent care may include, but is not limited to, the procedures commonly employed in the nursing and caring for the aged and includes rest homes and convalescent homes but does not include a boarding home for the aged, a retirement home, hotel, hospital, or a chiropractic facility licensed under ORS. (5/98)

*Official zoning map.* The map which indicates the zones in the City of Keizer. (5/98)

*Original jurisdiction.* The authority and responsibility for rendering the first decision in a land use proceeding. (5/98)

*Owner.* The owner of record of real property as shown on the latest tax rolls or deed records of the county, or a person who is purchasing a parcel or property under written contract. (5/98)

*Owner (Signs).* As used in these regulations, "owner" means owner or lessee of the sign. If the owner or lessee of the sign cannot be determined, then "owner" means owner or purchaser of the land on which the sign is placed. (5/98)

*Parcel.* A unit of land that is created by a partitioning of land. (5/98)

*Parking lot or area.* An open area, building or structure, other than a street or alley, used for the parking of automobiles and other motor vehicles and available for use by persons patronizing a particular building, establishment or area. (5/98)

*Parking space.* A designated space in a parking lot or area for the parking of one motor vehicle. (5/98)

*Partial harvesting of timber (Greenway).* A timber harvest that leaves at least 25 percent of the trees at least six inches DBH standing beyond the vegetative fringe. (5/98)

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*Partition.* To divide an area or tract of land into two or three parcels within a calendar year when such area or tract of land exists as a unit or contiguous units of land under single ownership at the beginning of such year. "Partition" does not include:

1. Divisions of land resulting from lien foreclosures, divisions of land resulting from contracts for the sale of real property, and divisions of land resulting from the creation of cemetery lots; or
2. Any adjustment of a lot line by the relocation of a common boundary where an additional parcel is not created and where the existing parcel reduced in size by the adjustment is not reduced below the minimum lot size established by any applicable zoning ordinance; or
3. A sale or grant by a person to a public agency or public body for state highway, county road, or other right-of-way purposes, provided that such road or right-of-way complies with the applicable comprehensive plan and ORS 215.213 (2)(q) to (s) and 215.283 (2)(p) to (r). (5/98)

*Pedestrian circulation system.* Pedestrian connection(s) between building entrance(s) of the proposed development and adjacent street(s), the parking area, and the existing or future development on adjacent properties. (5/98)

*Pedestrian facilities.* Improvements which provide for public pedestrian foot traffic, including sidewalks, walkways, crosswalks and other improvements, such as lighting or benches, which provide safe, convenient and attractive walking conditions. (5/98)

*Pedestrian scale lighting.* Light standards or placement no greater than 14 feet in height located along walkways. (5/98)

*Permit* (noun). Any action granting permission to do an act or to engage in activity where such permission is required by this ordinance. (5/98)

*Permitted use.* Those uses permitted in a zone that are allowed without obtaining a conditional use permit. (5/98)

*Person.* Every natural person, firm, partnership, association, social or fraternal organization, corporation, estate, trust, receiver, syndicate, branch of government, or any other group or combination acting as a unit. (5/98)

*Pet.* A domestic animal customarily kept, and cared for, by the occupants of a dwelling for personal pleasure and which are not raised for food, fur, or monetary gain; typically, dogs, cats, birds and other small mammals and reptiles, but not including fowl, herd animals, pigs, goats or horses of any type or breed. (5/98)

*Place of public assembly.* Structure or place where 50 or more people gather which the public may enter for such purposes as deliberation, education, worship, shopping, entertainment, amusement, awaiting transportation or similar activity. (5/98)

*Plan map.* An officially adopted map of the city, including urban growth boundary, showing land use designations identified in the comprehensive plan. (5/98)

*Planned unit development.* A type of development of a site which, as a single project, is based on a design which incorporates all elements of land, structures and uses in conformance with the applicable standards of this ordinance. (5/98)

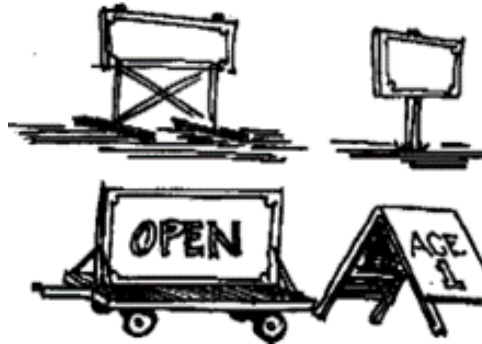
*Planning commission.* The Planning Commission of Keizer, Oregon. (5/98)

*Plat.* The final map which is a diagram, drawing, re-plat or other writing containing all the descriptions, locations, specifications, dedications, provisions, and information concerning a subdivision or partition. (5/98)

*Portable sign* (Signs). Any sign that is not originally designed to be permanently affixed to a building, structure, or the ground; a sign originally designed, regardless of its current modification, to be moved from place to place. These signs primarily include, but are not limited to, A-frame or sandwich board signs, signs attached to

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wood or metal frames and designed to be self-supporting and movable, and also including trailer reader boards. Portable signs are not to be considered temporary signs as defined and used in this chapter. (5/98)



*Primary building façade.* Primary building façade means the side of a building that faces the street and has a main pedestrian entrance from the street. (01/02)

*Professional office.* An office occupied by an accountant, architect, attorney-at-law, engineer, surveyor, city or regional planner, insurance agent, real estate broker, landscape architect, or practitioner of the human healing arts, or other professional business similar in type, scale and character. (5/98)

*Projecting signs (Signs).* A sign the face of which is not parallel to the wall on which it is mounted, projecting more than 12 inches from a structure. (5/98)



*Property line adjustment.* The realignment of a common boundary between two or more abutting lots or parcels which does not involve the creation of a new lot or parcel. (6/16)

*Public facilities and services.* Projects, activities, and facilities which are necessary for the public health, safety, and welfare. These may include, but are not limited to, water, gas, sanitary sewer, storm sewer, electricity, telephone and wire communication service, and cable television service lines, mains, pumping stations, reservoirs, poles, underground transmission facilities, substations, and related physical facilities which do not include buildings regularly occupied by employees, parking areas, or vehicle, equipment or material storage areas. (5/98)

*Quasi-judicial review.* A decision affecting land use within the city which requires the interpretation and/or amendment of existing standards or maps contained in this ordinance. (5/98)

*Ramada.* A stationary structure having a roof extending over a manufactured home which may also extend over a patio or parking space and is used principally for protection from the elements. (5/98)

*Real estate sign (Signs).* A sign for the purpose of rent, lease, sale, etc., of real property, building opportunities, or building space. (5/98)

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*Rear lot line.* See *Lot line, rear.* (5/98)

*Recreational vehicle* (RV park). A unit, with or without motive power, which is designed for human occupancy and intended to be used for recreational or temporary living purposes. (5/98) "Recreational vehicle" includes:

1. Camping trailer. A non-motorized vehicle unit mounted on wheels and constructed with sides that can be collapsed when the unit is towed by another vehicle. (5/98)
2. Motor home. A vehicular unit built on or permanently attached to a motorized vehicle chassis cab or van which is an integral part of the complete vehicle. (5/98)
3. Travel trailer. A vehicular unit without motive power which has a roof, floor, and sides and is mounted on wheels and designed to be towed by a motorized vehicle, but which is not of such size or weight as to require special highway movement permits. (5/98)
4. Truck camper. A portable unit which has a roof, floor, and sides and is designed to be loaded onto and unloaded out of the bed of a truck or pickup truck. (5/98)
5. Boat, licensed or unlicensed, including trailer. (5/98)
6. All-terrain vehicle (ATV). (5/98)

*Recreational vehicle* (Flood). A vehicle which is:

1. Built on a single chassis; (12/20)
2. 400 square feet or less when measured at the largest horizontal projection; (12/20)
3. Designed to be self-propelled or permanently towable by a light duty truck; and (12/20)
4. Designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use. (12/20)

*Recreational vehicle park* (RV park). Any area operated and maintained for the purposes of providing space for overnight use by recreational vehicles. (5/98)

*Recreational vehicle space* (RV park). The area under a parked and occupied recreational vehicle. (5/98)

*Recycling depot.* An area used for the collection, sorting, and temporary storage of non-putrescible waste and discarded materials which are taken elsewhere to be reused or recycled. This definition does not include drop stations. (5/98)

*Registered Family Child Care Home.* A child care facility that is licensed to care for no more than 10 children and is the residence of the provider.

*Repair.* The reconstruction or renewal of any part of an existing building for the purpose of its maintenance. The word "repair" or "repairs" shall not include structural changes. (5/98)

*Residential facility.* A facility licensed by or under the authority of the department of human resources under ORS 443.400—443.460 which provides residential care alone or in conjunction with treatment or training or a combination thereof for six to 15 individuals who need not be related. Staff persons required to meet department of human resources licensing requirements shall not be counted in the number of facility residents and need not be related to each other or to and resident of the residential facility. (5/98)

*Residential home.* A home licensed by or under the authority of the department of human resources under ORS 443.400—443.825 which provides residential care alone or in conjunction with treatment or training or a combination thereof for five or fewer individuals who need not be related. Staff persons required to meet department of human resources licensing requirements shall not be counted in the number of facility residents and need not be related to each other or to any resident of the residential facility. (5/98)

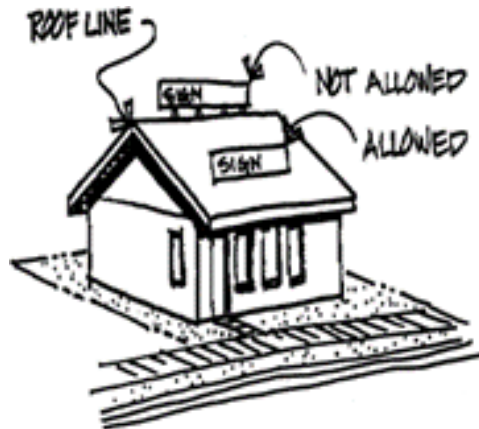
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*Resource (Historic)*. A site, object, building, or structure designated by the council under section 2.127.04. (9/18)

*Retail trade*. The process of selling to the consumer for direct consumption and not for resale. (5/98)

*Right-of-way*. The full length and width of a public street or way, planned or constructed. (5/98)

*Roof sign (Signs)*. A sign or any portion of which is displayed above the highest point of the roof, whether or not such sign also is a wall sign. (5/98)



*Roofline (Signs)*. Either the eaves of the roof or the top of the parapet, at the exterior wall. A mansard roof is below the top of a parapet and is considered a wall for sign purposes. (5/98)

*Rooming and boarding house*. A residential building or portion thereof with guest rooms, providing lodging, or lodging and meals, for three or more persons for compensation. (5/98)

*Rotating/revolving sign (Signs)*. A sign, all or a portion of which, moves in some manner. (5/98)

*School, elementary, middle school, or high school*. An institution, public or parochial, offering instruction in the several branches of learning and study, in accordance with the rules and regulations of the state department of education. (5/98)

*School, trade or commercial*. A building where the instruction is given to pupils for a fee, which fee is the principal reason for the existence of the school. (5/98)

*Scrap and waste materials establishment*. A business that is maintained, operated or used for storing, keeping, buying or selling old or scrap copper; brass, rope, rags, batteries, paper, rubber, or debris; waste or junked, dismantled, wrecked, scrapped, or ruined motor vehicles or motor vehicle parts (except wrecking yards), iron, steel, or other old scrap metal or non-metal materials. "Scrap and waste materials establishment" does not include drop stations, solid waste transfer stations, or recycling depot. (5/98)

*Semi-public use*. A structure or use intended for a public purpose by a nonprofit organization. (5/98)

*Serial additions, alterations or expansions*. Two or more additions, alterations or expansions to the existing building gross floor area and/or impervious surface area within a three-year time period. (12/03)

*Service station*. A site and associated buildings designed for the supplying of motor fuel, oil, lubrication and accessories to motor vehicles, but excluding major repair and overhaul. "Major repair and overhaul," as used in this definition, shall be considered to include such activities at painting, bodywork, steam cleaning, tire recapping, and major engine or transmission overhaul or repair involving the removal of a cylinder head or crankcase. (5/98)

*Setback*. The distance between a specified lot line and the foundation or exterior wall of a building or structure. (5/98)

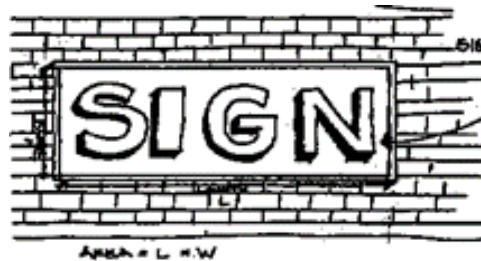
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*Shallow flooding area (Flood).* A designated Zone AO, AH, AR/AO or AR/AH on a community's flood insurance rate map (FIRM) with a one percent or greater annual chance of flooding to an average depth of one to three feet where a clearly defined channel does not exist, where the path of flooding is unpredictable, and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow. (12/20)

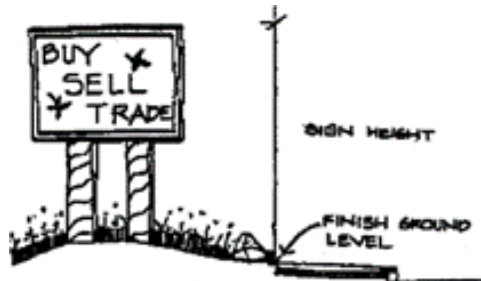
*Side lot line.* See *Lot line, side.* (5/98)

*Sign (Signs).* Any writing, including letter, word, or numeral; pictorial presentation, including mural, illustration or decoration; emblem, including device, symbol or trademark; flag, including banner or pennant; or any other device, figure or similar thing which is a structure or any part thereof, or is attached to, painted on, or in any other manner represented on a building or structure or device; and is used to announce, direct attention to, or advertise; and is visible from any public right-of-way. (5/98)

*Sign face (Signs).* Surface of a sign containing the message. The sign face shall be measured as set forth in section 15.10(2). (5/98)



*Sign height (Signs).* The distance from the finish ground level to the top of the sign or the highest portion of the sign structure or frame, whichever is greater. (5/98)



*Sign structure (Signs).* The supports, uprights, braces, framework and other structural components of the sign. (5/98)

*Site, development, or complex.* A group of structures or other development that is functionally or conceptually integrated, regardless of the ownership pattern of the development or underlying land. (5/98)

*Solid waste transfer station.* A fixed or mobile facility, used as an adjunct to collection vehicle(s), resource recovery facility, disposal site between the collection of the waste/solid waste and disposal site, including, but not limited to, another vehicle, a concrete slab, pit, building, hopper, railroad gondola or barge. The term does not include a self-propelled compactor type solid waste collection vehicle into which scooters, pickups, small packers or other satellite collection vehicles dump collected solid waste for transport to a transfer, disposal, landfill or resource recovery site or facility. (5/98)

*Space, manufactured home.* An area or lot reserved exclusively for the use of a manufactured home occupant. This definition excludes individual lots within a subdivision. (5/98)

*Special flood hazard area (Flood).* The land in the floodplain within a community subject to a one percent or greater chance of flooding in any given year. It is shown on the flood insurance rate map (FIRM) as Zone A, AO, AH,

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A1-30, AE, A99, AR. "Special flood hazard area" is synonymous in meaning and definition with the phrase "area of special flood hazard." (12/20)

*Special permitted use.* A use which is a permitted use in a particular zone, subject to compliance with the applicable standards of section 2.400. (5/98)

*Specified sexual activities (Adult).* Real or simulated acts of sexual intercourse, human/animal sexual intercourse, masturbation, sadomasochistic abuse, sodomy or the exhibition of human organs in a simulated state, or the characterization thereof in a printed or visual form, or fondling or other erotic touching of human genitals, pubic region, buttocks, or female breasts. (5/98)

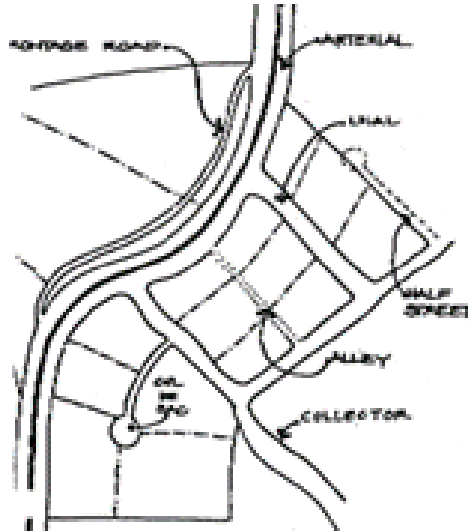
*Standard Industrial Classification (SIC).* The document so entitled, published in 1987 by the Office Management and Budget, and used in this ordinance to identify land uses. (5/98)

*Start of construction.* The actual start of construction, repair, reconstruction, placement or other improvement. (5/98)

*Start of construction (Flood).* Includes substantial improvement and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, or other improvement was within 180 days from the date of the permit. "The actual start" means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured dwelling on a foundation. "Permanent construction" does not include land preparation, such as clearing, grading, and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, "the actual start of construction" means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building. (12/20)

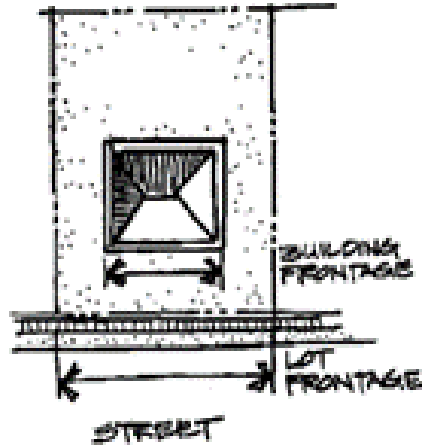
*Story.* That portion of a building included between the upper surface of any floor and the upper surface of the floor next above, except that the topmost story shall be that portion of a building included between the upper surface of the topmost floor and the ceiling or roof above. Any basement, as defined herein, that is habitable shall be deemed a story for the purpose of administering all fire, life, safety codes, including the Uniform Fire Code. (5/98)

*Street.* The entire width between the boundary lines of every way of travel which provides for ingress and egress for vehicular and pedestrian traffic and the placement of utilities to one or more lots, parcels, areas, or tracts of land. Streets shall follow the locally adopted street designations. A private way created to provide ingress and egress to land in conjunction with the use of such land for forestry, mining, or agricultural purposes is excluded from this definition. (5/98)



1. *Alley*. A narrow street through a block used primarily for access by service vehicles to the back or side of properties fronting on another street. (5/98)
2. *Arterial*. A street of considerable continuity which is used primarily for through traffic and interconnection between major areas of the city. (5/98)
3. *Collector*. A street supplementary to the arterial street system, used partly by through traffic and partly for access to abutting properties. (5/98)
4. *Cul-de-sac (dead end)*. A short street with one end open to traffic and the other terminated by a vehicle turnaround. (5/98)
5. *Half-street*. A portion of the width of a street, usually along the edge of a subdivision, where the remaining portion of the street could be provided in another subdivision of development. (5/98)
6. *Frontage road, marginal access road*. A service road parallel and adjacent to a major arterial street providing access to abutting properties but protected from through traffic. (5/98)
7. *Local street*. A street intended primarily for access to abutting properties but protected from through traffic. (5/98)
8. *Private access easement*. A right-of-way across private property granted by the property owner to owners of one or more lots and allowing vehicles access from a street or roadway to those lots. (5/98)

*Street frontage (Signs)*. That portion of a property which abuts a paved street right-of-way and measured by the linear distance of the property adjacent to such right-of-way. (5/98)



*Structural alteration.* Any change to the supporting members of a structure, including foundation bearing walls or partitions, columns, beams or girders, or any structural change in the roof or in the exterior walls. (5/98)

*Structure.* That which is built or constructed, an edifice or building of any kind, or a piece of work artificially built up or composed of parts joined together in some definite manner. (5/98)

*Structure (Flood).* A walled and roofed building, including a gas or liquid storage tank, that is principally above ground, as well as a manufactured dwelling. (12/20)

*Subdivide.* To divide an area or tract of land into four or more parcels within a calendar year for the purpose of transfer of ownership or building development, whether immediate or future, when such parcel exists as a unit or contiguous units under a single ownership as shown on the tax roll for the year preceding the division of property. (5/98)

*Subdivision.* All divisions of property which create four or more lots in a single calendar year. (5/98)

*Subject property.* The lot or parcel that is the location of the proposed use or structure. (5/98)

*Substantial damage (Flood).* Damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred. (12/20)

*Substantial improvement (Flood).* Any reconstruction, addition, rehabilitation or other improvements of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure before the start of construction of the improvement. This term includes structures which has incurred substantial damage, regardless of the actual repair work performed. The term does not, however, include either:

1. Any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local building code enforcement official and which are the minimum necessary to assure safe living conditions; or (12/20)
2. Any alteration of a historic structure, provided the alteration will not preclude the structure's continued designation as a historic structure. (12/20)

*Substantial or significant portion (Adult).* More than ten percent of the total cost of the inventory of merchandise for sale in the establishment, whether at wholesale or retail, or more than ten percent of the establishment's gross sales per month, whether wholesale or retail, or more than ten percent of a film or video or live performance. (5/98)

*Temporary business.* A business of a temporary nature authorized through a temporary business permit issued by the City of Keizer. (12/03)

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*Temporary sign (Signs).* A sign not permanently affixed to a structure on a property. These signs primarily include, but are not limited to, canvas, cloth, or paper banners or posters hung on a building wall or on a permanent pole such as on a freestanding sign support. (5/98)

*Temporary use.* A primary, secondary, or accessory use that occurs on a lot for less than six months in any calendar year, or a lesser period as prescribed by this ordinance. (5/98)

*Trailer (travel or vacation).* See *Recreational vehicle.* (5/98)

*Transit facilities.* Transit-related improvements, including, but not limited to, bus pullouts, shelters, waiting areas, information and directional signs, benches and lighting. (5/98)

*Transit route.* An existing or planned route for public intra-city or intra-urban transit service in the local or regional transit plan. Transit routes do not include temporary routes or routes which are planned to be replaced or relocated in the relevant plan. Transit routes are also referred to as transit streets and transit corridors. (5/98)

*Transit stop.* Improvements and facilities at selected points along transit routes for passenger pickup, dropoff, and waiting. Facilities and improvements may include shelters, benches, pavement, sign structures and other improvements to provide security, protection from the weather and access to nearby services. (5/98)

*Transit street.* All streets designated by the adopted transportation plan as a major or minor arterial street plus any street used as an existing bus route. (5/98)

*Transmission facility.* High voltage power lines and related support structures used to convey electricity from a power generator facility to electric substations along a line or corridor. (5/98)

*Transmission towers.* A single structure and related unoccupied buildings transmitting or relaying electronic signals to the surrounding area or along a communication corridor, including radio and television transmitters and microwave relay station. (5/98)

*Travel trailer parks.* Recreational vehicle park. (5/98)

*Urban growth boundary.* An adopted boundary around the city which defines the area in which the city expects to grow, where public facilities will be extended, and where joint planning responsibilities are exercised with Marion County. (5/98)

*Uniform Building Code (UBC).* The code of building design and construction standards adopted by the City of Keizer. (5/98)

*Use.* The purpose for which land or a structure is designed, arranged or intended or for which it is occupied or maintained. (5/98)

*Utility.* See *Public facilities and services.* (5/98)

*Vanpool.* A group from five to 15 commuters, including the driver, who share the ride to and from work or other destinations on a regularly scheduled basis. (5/98)

*Variance (Flood).* A grant of relief by the City of Keizer from the terms of a floodplain management regulation. (12/20)

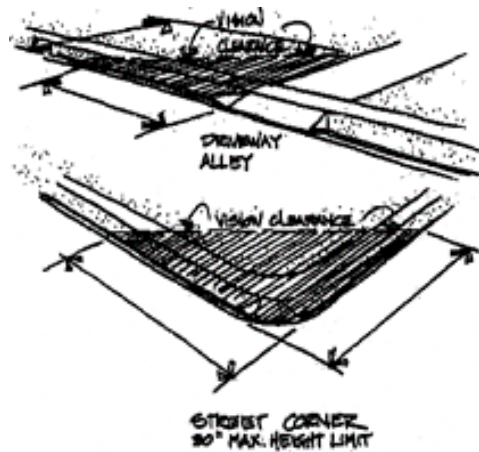
*Vegetative fringe (Greenway).* A line generally parallel with the water line at least 30 feet upland from the ordinary high-water mark, including riparian and other vegetation, screening upland development or activity areas from visibility from the water surface in the summer months. (5/98)

*Vehicle.* For purpose of this ordinance, "vehicle" shall have the same meaning as the definition in the rules and regulations of the Oregon Department of Transportation Driver and Motor Vehicle Division. (5/98)

*Veterinary clinic.* A facility designed to contain treatment and temporary care facilities for domestic animals, including both pets and farm animals, under the direction of a licensed veterinarian. (5/98)

*Violation (Flood).* The failure of a structure or other development to be fully compliant with the community's floodplain management regulations. A structure or other development without the elevation certificate, other certifications, or other evidence of compliance required in this ordinance is presumed to be in violation until such time as that documentation is provided. (12/20)

*Vision clearance area.* A triangular area at the intersection of two streets, or a street and a driveway, two sides of which are lines measured from the corner intersection for a specific distance. The third side of the triangle is a line across the corner of the lot joining the ends of the other two sides. Where the lines at the intersections have rounded corners, the lines will be extended in a straight line to a point of intersection. The vision clearance area shall be measured from the face of the curb and extend at right angles the designated distance in both directions along the intersection. Where there is no curb, the vision clearance area shall be measured from the edge of the pavement and extend at right angles for the appropriate distance in both directions along the intersection. (5/98)



*Wall sign (Signs).* A sign attached to, erected against or painted on a wall of a building or structure, with the exposed face of the sign in a plane approximately parallel to the face of said wall and not projecting more than 12 inches. A sign painted on an awning in which the face of the sign is approximately parallel to and within 3.5 feet of the wall shall also be considered a wall sign. (5/98)



*Warehouse.* A place for the safekeeping of goods and materials for an industrial or commercial enterprise (also see *Mini-storage warehouse*). (5/98)

*Water-dependent (Greenway).* A use or activity which can be carried out only on, in or adjacent to water areas because the use requires access to the water body for waterborne transportation, recreation, energy production, or source of water. (5/98)

*Water-related (Greenway).* Uses which are not directly dependent upon access to a water body but which provide goods or services that are directly associated with water-dependent land or waterway use and which, if not located adjacent to water, would result in a public loss of quality in the goods or services offered. Except as necessary for water-dependent or water-related uses or facilities, residences, parking lots, spoil and dump sites,

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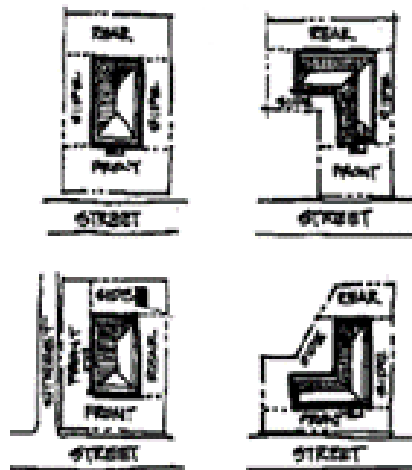
roads and highways, restaurants, businesses, factories and trailer parks are not generally considered dependent on or related to water location needs. (5/98)

*Watercourse (Flood).* A natural or artificial channel in which a flow of water occurs either continually or intermittently in identified floodplain. (5/98)

*Wholesale trade.* The bulk sale of goods for resale to a person other than the direct consumer. (5/98)

*Wrecking yard.* Property used for the business of buying, selling or dealing in vehicles and parts for the purpose of wrecking, dismantling, disassembling and offering for sale a used vehicle or components and is licensed under the laws of the state for that purpose. "Vehicle" includes all means of transportation that are registered with the department of motor vehicles. (5/98)

*Yard, front.* A yard extending across the full width of the lot, the depth of which is the minimum horizontal distance between the front lot line and a line parallel to the nearest point of the foundation of the main building; but no structures may encroach on any easement. (12/19)



*Yard, rear.* A yard extending across the full width of the lot between the most rear portion of a main building and the rear lot line; but for determining the depth of the required rear yard, it shall be measured horizontally from the nearest point of the rear lot line or, if the rear lot line adjoins an alley, then from the centerline of the alley, toward the nearest part of the foundation of the main building; but no structures may encroach on any easement. (12/19)

*Yard, side.* A yard, between the main building and side lot line, extending from the front yard, or front lot line where no front yard is required, to the rear yard. The width of the required side yard shall be measured horizontally from the nearest point of the side lot line toward the nearest part of the foundation of the main building; but no structures may encroach on any easement. (12/19)

(Ord. No. 2025-895, § 1(exh. A), 7-7-2025)

## **2.102. SINGLE-FAMILY RESIDENTIAL (RS)**

### **Sec. 2.102.01. Purpose.**

The purpose of the RS (Single-Family Residential) Zone is to allow development of single-family and middle housing type homes on individual lots provided with urban services at low urban densities. This zone also allows duplexes, triplexes, quadplexes, townhouses, and cottage cluster housing. Other uses compatible with residential development are also appropriate. These areas are designated as low density residential in the comprehensive plan. (6/22)

### **Sec. 2.102.02. Permitted uses.**

The following uses, when developed under the applicable development standards in this ordinance, are permitted in the RS zone:

- A. Detached single-family dwelling. (6/22)
- B. Duplexes, triplexes, quadplexes, and townhouses. (6/22)
- C. Residential homes. (5/98)
- ~~C.D. Registered Family Child Care Home~~
- ~~D.E. Family day care provider~~ Certified Family Child Care Home for 16 or fewer children, consistent with state regulations. (4/16)
- E.F. Public or private utility substation, but excluding communication towers and electrical substations. (5/98)
- F.G. Child foster home for five or fewer children. (6/99)

### **Sec. 2.102.03. Special permitted uses.**

The following uses, when developed under the applicable development standards in this ordinance and special development requirements, are permitted in the RS zone:

- A. Partitions, subject to the provisions in section 2.310. (5/98)
- B. Subdivision, subject to the provisions in section 2.310. (5/98)
- C. Planned unit development, subject to the provisions in section 2.311. (5/98)
- D. Accessory structures and uses prescribed in section 2.203.02. (5/98)
- E. Transit facilities (section 2.305). (5/09)
- F. The following special uses, subject to the applicable standards in section 2.400: (5/98)
  - 1. Accessory dwelling unit facilities (section 2.403). (6/23)
  - 2. Cottage cluster development (section 2.432). (6/22)
  - 3. Home occupations (section 2.407). (5/98)

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4. Residential sales offices (section 2.409). (5/98)
  5. Public golf course (7992) or membership recreation club having golf course (7997) (section 2.410). (5/98)
  6. House of worship (section 2.423). (5/98)
  7. Manufactured homes on individual lots (section 2.402). (5/98)
  8. Recreational vehicle storage space (section 2.413). (5/98)
  9. Electrical substation (section 2.426). (5/98)
  10. Wireless telecommunication facilities (section 2.427). (5/98)
  11. Manufactured home parks (section 2.405). (5/98)
  12. Public water supply (section 2.430). (6/10)

#### **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~~Child Care Center 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. 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. 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)

(Ord. No. 2025-895, § 1(exh. A), 7-7-2025)

**Sec. 2.102.05. Dimensional standards.**

The following dimensional standards shall be the minimum requirements for all development in the RS zone, except for modifications permitted under section 2.202, general exceptions, or as required in section 2.4. (5/98)

A. *Minimum lot dimension and height requirements.* (6/22)

<i>Dimension</i>	<i>Single-Family Detached and Duplex</i>	<i>Triplex</i>	<i>Quadplex and Cottage Cluster</i>	<i>Townhouse</i>	<i>Nonresidential Uses</i>
Lot size	4,000 sq. ft.	5,000 sq. ft.	7,000 sq. ft.	1,500 sq. ft.	(1)
Average width	40 feet	40 feet	40 feet	20 feet (3)	None
Average depth	70 feet	70 feet	70 feet	70 feet	None
Maximum height	35 feet	35 feet	Quad: 35 ft.	35 feet	(2)
			Cottages: 25 ft.		

(1) Parcel size shall be adequate to contain all structures within the required yard setbacks. (5/98)

(2) 50 feet: Required setbacks shall increase one foot for every foot the height exceeds 35 feet. (5/98)

(3) The width for townhouses must be a minimum of 20 feet instead of average 20 feet.

B. *Minimum yard setback requirements.* (6/22)

<i>Setbacks</i>	<i>Residential Uses</i>	<i>Nonresidential Uses</i>
Front (5)	10 feet	20 feet
Side	5 feet (1)	10 feet
Rear	(2)	20 feet
Street-side (3)	10 feet	20 feet
Garage Entrance (4)	20 feet	20 feet

(1) Townhouses may have zero-side yard setbacks for interior lot lines. (6/22)

(2) The rear yard setback shall be as follows: 14 feet for a one-story building; 20 feet for a two-story building. The rear yard setback for cottage clusters shall be ten feet. (6/22)

(3) Setbacks are measured from property lines, not easement lines; however, no structure shall be placed any closer than five feet from the edge of an access easement. (5/98)

(4) The garage entrance setback shall be measured from the property line or edge of private access easement to the entrance of the garage. The centerline of the driveway shall be measured if the driveway to the garage entrance is not perpendicular to the property line or private access

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easement. In no case shall a garage be set back less than the minimum front, side, and rear setbacks. (5/98)

(5) The minimum front setback from an access easement shall be ten feet. (10/15)

C. Proposals to develop properties in RCOD are subject to dimensional standards in section 2.130. (12/19)  
(Ord. No. 2024-878, § 2(exh. B), 7-15-2024)

### **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:

- A. *Off-street parking.* Parking as specified in section 2.303. (7/25)
- 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)

(Ord. No. 2025-895, § 1(exh. A), 7-7-2025)

## **2.103. LIMITED DENSITY RESIDENTIAL (RL)**

### **Sec. 2.103.01. Purpose.**

The RL (Limited Density Residential) Zone is intended to provide for detached and attached dwellings on a lot or multiple dwellings on a lot at an intermediate density. Other uses compatible with residential development are also appropriate. RL zones are located in areas designated medium density residential and medium and high density residential in the comprehensive plan and provided with urban services. RL zones will generally abut a collector or arterial street so that traffic is not required to travel through lower density residential neighborhoods. (01/02)

### **Sec. 2.103.02. Permitted uses.**

The following uses, when developed under the applicable development standards in the ordinance, are permitted in the RL zone:

- A. Detached single-family dwelling on a lot. (5/98)
- B. Residential homes and facilities. (5/98)
- C. Duplexes, triplexes, quadplexes, and townhouses. (6/22)
- D. Multifamily dwellings. (6/22)
- E. Combination of permitted attached or detached dwellings on a lot. (5/98)
- E-F. Registered Family Child Care Home
- F-G. Family day care providerCertified Family Child Care Home for 16 or fewer children, consistent with state regulations. (4/16)
- G-H. Public or private utility substation but excluding communication towers and electrical substations. (5/98)
- H-I. Child foster home for five or fewer children. (6/99)

### **Sec. 2.103.03. Special permitted uses.**

The following uses, when developed under the applicable development standards in the ordinance and special development requirements, are permitted in the RL zone:

- A. Partitions, subject to the provisions in section 2.310. (5/98)
- B. Subdivision, subject to the provisions in section 2.310. (5/98)
- C. Planned unit development, subject to the provisions in section 2.311. (5/98)
- D. Accessory structures and uses prescribed in section 2.203.02. (5/98)
- E. The following special uses, subject to the applicable standards in section 2.4:
  - 1. Accessory dwelling unit (section 2.403). (6/23)
  - 2. Cottage cluster development (section 2.432). (6/22)

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3. Home occupations (section 2.407). (6/23)
  4. Residential sales offices (section 2.409). (6/23)
  5. Public golf course (7992) or membership recreation club having golf course (7997) (section 2.410). (6/23)
  6. House of worship (section 2.423). (6/23)
  7. Boat and RV storage area (section 2.411). (6/23)
  8. Manufactured homes on individual lots (section 2.402). (6/23)
  9. Recreational vehicle storage space (section 2.413). (6/23)
  10. Electrical substations (section 2.426). (6/23)
  11. Wireless telecommunications facilities (section 2.427). (6/23)
  12. Manufactured home parks (section 2.405). (6/23)

#### **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~~ Child Care Center 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. 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. 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)

(Ord. No. 2025-895, § 1(exh. A), 7-7-2025)

**Sec. 2.103.05. Dimensional standards.**

A. *Minimum lot dimension and height requirements.* (6/22)

<i>Dimension</i>	<i>Single-Family Detached &amp; Duplex</i>	<i>Triplex</i>	<i>Quadplex &amp; Cottage Cluster</i>	<i>Townhouse</i>	<i>Multifamily</i>	<i>Nonresidential</i>
Lot size	4,000 sq. ft.	5,000 sq. ft.	7,000 sq. ft.	1,500 sq. ft.	10,000 sq. ft. (1)	(2)
Average width	40 feet	40 feet	40 feet	20 feet (4)	50 feet	None
Average depth	70 feet	70 feet	70 feet	70 feet	80 feet	None
Maximum height	35 feet	35 feet	Quad:35 ft.	35 feet	35 feet	(3)
			Cottages:25 ft.			

- (1) Multifamily development must comply with the density standard in section 2.103.06.I. (5/98)
- (2) Parcel size shall be adequate to contain all structures within the required yard setbacks. (5/98)
- (3) 50 feet: Required setbacks shall increase one foot for every foot the height exceeds 35 feet. (5/98)
- (4) The width for townhouses must be a minimum of 20 feet instead of average 20 feet. (6/22)

B. *Minimum yard setback requirements.* (6/22)

<i>Setbacks</i>	<i>Single-Family, Duplex, Triplex, Quadplex, Cottage Cluster</i>	<i>Multifamily</i>	<i>Nonresidential</i>
Front	10 feet (5)	10 feet	20 feet
Side	5 feet (1)	10 feet	10 feet
Rear	(2)	(2)	20 feet
Street-side (3)	10 feet	10 feet	20 feet
Garage entrance (4)	20 feet (4)	20 feet (4)	20 feet (4)

- (1) Townhouses may have zero-side yard setbacks for interior lot lines. (6/22)
- (2) The rear yard setback shall be as follows: 14 feet for a one-story building; 20 feet for a two-story building. The rear yard setback for cottage clusters shall be ten feet. (6/22)

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- (3) Setbacks are measured from property lines, not easement lines; however, no structure shall be placed any closer than five feet from the edge of an access easement. (5/98)
  - (4) The garage entrance setback shall be measured from the property line or edge of private access easement to the entrance of the garage. The centerline of the driveway shall be measured if the driveway to the garage entrance is not perpendicular to the property line or private access easement. In no case shall a garage be set back less than the minimum front, side, and rear setbacks. (5/98)
  - (5) The minimum front setback from an access easement shall be ten feet. (10/15)

(Ord. No. 2024-878, § 2(exh. B), 7-15-2024)

### **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:

- A. *Off-street parking.* Parking as specified in section 2.303. (7/25)
- 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)

(Ord. No. 2025-895, § 1(exh. A), 7-7-2025)

## **2.104. MEDIUM DENSITY RESIDENTIAL (RM)**

### **Sec. 2.104.01. Purpose.**

The RM (Medium Density Residential) Zone is primarily intended for multiple family development on a parcel, or attached dwellings on separate lots, at medium residential densities. Other uses compatible with residential development are also appropriate. RM zones are located in areas designated medium and high density residential in the comprehensive plan. They are suited to locations near commercial areas and along collector and arterial streets where limited access is necessary so that traffic is not required to travel on local streets through lower density residential areas. (5/98)

### **Sec. 2.104.02. Permitted uses.**

The following uses, when developed under the applicable development standards in the ordinance, are permitted in the RM zone:

- A. Detached single-family dwelling on a lot. (5/98)
- B. Duplexes, triplexes, quadplexes, and townhouses. (6/22)
- C. Residential homes and facilities. (5/98)
- D. Multifamily dwellings. (6/22)
- E. Combination of permitted attached or detached dwellings on a lot. (5/98)
- E.F. Registered Family Child Care Home
- F.G. Family day care providerCertified Family Child Care Home for 16 or fewer children, consistent with state regulations. (4/16)
- G.H. Public or private utility substation but excluding communication towers and electrical substations. (5/98)
- H.I. Child foster home for five or fewer children. (6/99)

### **Sec. 2.104.03. Special permitted uses.**

The following uses, when developed under the applicable development standards in the ordinance and special development requirements, are permitted in the RM zone:

- A. Partitions, subject to the provisions in section 2.310. (5/98)
- B. Subdivision, subject to the provisions in section 2.310. (5/98)
- C. Planned unit development, subject to the provisions in section 2.311. (5/98)
- D. Accessory structures and uses prescribed in section 2.203.02. (5/98)
- E. Transit facilities (section 2.305). (5/09)
- F. The following special uses, subject to the applicable standards in section 2.4:
  - 1. Accessory dwelling unit (section 2.403). (6/23)

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2. Cottage cluster development (section 2.432). (6/22)
  3. Home occupations (section 2.407). (5/98)
  4. Bed and breakfast establishments (section 2.408). (5/98)
  5. Residential sales offices (section 2.409). (5/98)
  6. Public golf course (7992) or membership recreation club having golf course (7997) (section 2.410). (5/98)
  7. House of worship (section 2.423). (5/98)
  8. Boat and RV storage area (section 2.411). (5/98)
  9. Manufactured home parks (section 2.405). (5/98)
  10. Manufactured homes on individual lots (section 2.402). (5/98)
  11. Accessory commercial uses (section 2.416). (5/98)
  12. Recreational vehicle storage space (section 2.413). (5/98)
  13. Electrical substation (section 2.426). (5/98)
  14. Wireless telecommunications facilities (section 2.427). (5/98)

#### **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~~ Child Care Center for 17 or more children, consistent with state regulations. (4/16)
- D. Civic, social and fraternal organizations (864). (5/98)
- E. Rooming and boarding houses (702). (5/98)
- F. Water supply (494). (5/98)
- G. Child foster home for six, seven or eight children, provided such home:
  1. Is properly accredited by the Council on Accreditation 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. 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. 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)

(Ord. No. 2025-895, § 1(exh. A), 7-7-2025)

**Sec. 2.104.05. Dimensional standards.**

A. *Minimum lot dimension and height requirements.* (6/22)

<i>Dimension</i>	<i>Single-Family Detached &amp; Duplex</i>	<i>Triplex</i>	<i>Quadplex &amp; Cottage Cluster</i>	<i>Townhouse</i>	<i>Multifamily</i>	<i>Nonresidential</i>
Lot size	4,000 sq. ft.	5,000 sq. ft.	7,000 sq. ft.	1,500 sq. ft.	9,000 sq. ft. (1)	(2)
Average width	40 feet	40 feet	40 feet	20 feet (4)	50 feet	None
Average depth	70 feet	70 feet	70 feet	70 feet	80 feet	None
Maximum height	35 feet	35 feet	Quad: 35 ft.	35 feet	45 feet	(3)
			Cottages: 25 ft.			

- (1) Multifamily development must comply with the density standard in section 2.104.06.I. (5/98)
- (2) Parcel size shall be adequate to contain all structures within the required yard setbacks. (5/98)
- (3) 50 feet: Required setbacks shall increase one foot for every foot the height exceeds 35 feet. (5/98)
- (4) The width for townhouses must be a minimum of 20 feet instead of average 20 feet. (6/22)

B. *Minimum yard setback requirements.* (6/22)

<i>Setbacks</i>	<i>Single-Family, Duplex, Triplex, Quadplex, Cottage Cluster, and Townhouse</i>	<i>Multifamily</i>	<i>Nonresidential</i>
Front	10 feet (5)	10 feet	20 feet
Side	5 feet (1)	10 feet	10 feet
Rear	(2)	(2)	20 feet
Street-side (3)	10 feet	10 feet	20 feet

Garage entrance (4)	20 feet (4)	20 feet (4)	20 feet (4)
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- (1) Townhouses may have a zero-side yard setback for interior lot lines. (6/22)
- (2) The rear yard setback shall be as follows: 14 feet for a one-story building; 20 feet for a two-story building. The rear yard setback for cottage clusters shall be ten feet. (6/22)
- (3) Setbacks are measured from property lines, not easement lines; however, no structure shall be placed any closer than five feet from the edge of an access easement. (5/98)
- (4) The garage entrance setback shall be measured from the property line or edge of private access easement to the entrance of the garage. The centerline of the driveway shall be measured if the driveway to the garage entrance is not perpendicular to the property line or private access easement. In no case shall a garage be set back less than the minimum front, side, and rear setbacks. (5/98)
- (5) The minimum front setback from an access easement shall be ten feet. (10/15)

C. Proposals to develop properties in RCOD are subject to dimensional standards in section 2.130. (12/19)  
(Ord. No. 2024-878, § 2(exh. B), 7-15-2024)

### **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:

- A. *Off-street parking.* Parking as specified in section 2.303. (7/25)
- 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)

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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)

(Ord. No. 2025-895, § 1(exh. A), 7-7-2025)

## **2.105. HIGH DENSITY RESIDENTIAL (RH)**

### **Sec. 2.105.01. Purpose.**

The RH (High Density Residential) Zone is specifically intended for multiple family dwellings on a parcel at high residential densities. Other uses compatible with residential development are also appropriate. RH zones are located in areas designated medium and high density residential in the comprehensive plan and will generally have direct access to a collector or arterial street. RH zoned land is also suited to locations adjacent to commercial or industrial uses and is generally buffered from, or not located adjacent to, single-family residential areas. (5/98)

### **Sec. 2.105.02. Permitted uses.**

The following uses, when developed under the applicable development standards in this zoning ordinance, are permitted in the RH zone:

- A. Any combination of dwellings, attached or detached. (5/98)
- B. Residential homes and facilities. (5/98)
- ~~B.C. Registerd Family Child Care Home~~
- ~~C.D. Certified Family Child Care Home Family day care provider~~ for 16 or fewer children, consistent with state regulations. (4/16)
- ~~D.E.~~ Public or private utility substation but excluding communication towers and electrical substations. (5/98)
- E.F. Child foster home for five or fewer children. (6/99)

### **Sec. 2.105.03. Special permitted uses.**

The following uses, when developed under the applicable development standards in the ordinance and special development requirements, are permitted in the RM zone:

- A. Partitions, subject to the provisions in section 2.310. (5/98)
- B. Subdivision, subject to the provisions in section 2.310. (5/98)
- C. Planned unit development, subject to the provisions in section 2.311. (5/98)
- D. Accessory structures and uses prescribed in section 2.203.02. (5/98)
- E. The following special uses, subject to the applicable standards in section 2.4:
  - 1. Cottage cluster development (section 2.432). (6/22)
  - 2. Home occupations (section 2.407). (5/98)
  - 3. Bed and breakfast establishments (section 2.408). (5/98)
  - 4. Residential sales offices (section 2.409). (5/98)
  - 5. Public golf course (7992) or membership recreation club having golf course (7997) (section 2.410). (5/98)

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6. Boat and RV storage area (section 2.411). (5/98)
  7. House of worship (section 2.423). (5/98)
  8. Manufactured homes on individual lots (section 2.402). (5/98)
  9. Accessory commercial uses (section 2.416). (5/98)
  10. Recreational vehicle storage space (section 2.413). (5/98)
  11. Electrical substation (section 2.426). (5/98)
  12. Wireless telecommunications facilities (section 2.427). (5/98)

#### **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. Child Care Center ~~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. 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)
  6. 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)

(Ord. No. 2025-895, § 1(exh. A), 7-7-2025)

**Sec. 2.105.05. Dimensional standards.**

A. *Minimum lot dimension and height requirements. (6/22)*

<i>Dimension</i>	<i>Residential (except Quadplex, Cottage Clusters, and Townhouse)</i>	<i>Quadplex, Cottage Clusters</i>	<i>Townhouse</i>	<i>Nonresidential</i>
Lot size	6,000 sq. ft. (1)	7,000 sq. ft.	1,500 sq. ft.	(2)
Average width	50 feet	50 feet	20 feet (4)	None
Average depth	80 feet	80 feet	80 feet	None
Maximum height	(3)	(3)	(3)	(3)

- (1) Multifamily development must comply with the density standard in section 2.105.06.i. (6/07)
- (2) Parcel size shall be adequate to contain all structures within the required yard setbacks. (5/98)
- (3) No limit except for cottage cluster (25 feet). Required setbacks shall increase one foot for every foot the height exceeds 50 feet. (6/22)
- (4) The width for townhouses must be a minimum of 20 feet instead of average 20 feet. (6/22)

B. *Minimum yard setback requirements. (6/22)*

<i>Setbacks</i>	<i>Residential</i>	<i>Nonresidential</i>
Front	10 feet	20 feet
Side	10 feet (1)	10 feet
Rear	(2)	20 feet
Street-side (3)	10 feet	20 feet
Garage entrance (4)	20 feet (4)	20 feet (4)

- (1) Townhouses may have zero-side yard setbacks for interior lot lines. (6/22)
- (2) The rear yard setback shall be as follows: 14 feet for a one-story building, and 20 feet for a two-story building. The rear yard setback for cottage clusters shall be ten feet. (6/22)
- (3) Setbacks are measured from property lines, not easement lines; however, no structure shall be placed any closer than five feet from the edge of an access easement. (5/98)
- (4) The garage entrance setback shall be measured from the property line or edge of private access easement to the entrance of the garage. The centerline of the driveway shall be measured if the driveway to the garage entrance is not perpendicular to the property line or private access easement. In no case shall a garage be set back less than the minimum front, side, and rear setbacks. (5/98)

(Ord. No. 2024-878, § 2(exh. B), 7-15-2024)

**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:

A. *Off-street parking.* Parking as specified in section 2.303. (7/25)

- 
- 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)

(Ord. No. 2025-895, § 1(exh. A), 7-7-2025)

## **2.106. RESIDENTIAL COMMERCIAL (RC)**

### **Sec. 2.106.01. Purpose.**

The purpose of the Residential Commercial (RC) Zone is to provide commercial goods and services specifically designed to serve residential neighborhoods. Suitable businesses include low intensity retail commercial and service activities, and, professional and commercial offices. The Residential Commercial Zone is appropriate in those areas designated low density residential, medium density residential and medium-high density residential in the comprehensive plan. (5/98)

### **Sec. 2.106.02. Permitted uses.**

The following uses, when developed under the applicable development standards in this zoning ordinance, are permitted in the RC zone:

- A. One dwelling per each business use on the lot or parcel. (5/98)
- B. Landscape counseling and planning (0781). (5/98)
- C. ~~Day care facility~~ Child Care Center for 17 or more children, consistent with state regulations. (4/16)
- D. Travel agency (4722). (5/98)
- E. Retail trade. (5/98)
  1. Hardware stores (52). (5/98)
  2. General merchandise stores (53). (5/98)
  3. Food stores (54), provided there is no processing or sale of live animals, and excluding freezer and locker meat provisioners. (5/98)
  4. Eating and drinking places (58), but excluding drive-in or drive-through facilities. The establishment may serve alcohol as a secondary use. (5/98)
  5. News dealers and newsstands (5994). (5/98)
- F. Business, professional and social services. (5/98)
  1. Watch, clock, and jewelry repair (763). (5/98)
  2. Laundries and dry cleaning (7212, 7215). (5/98)
  3. Photography studios (7221). (5/98)
  4. Beauty and barber shops (7231, 7241). (5/98)
  5. Shoe repair (7251). (5/98)
  6. Stenographic services and reproduction services not elsewhere classified (SIC 7339). (5/98)
  7. Computer and data processing services (SIC 737). (5/98)
  8. Health services (80), except hospitals (806). (5/98)
  9. Legal services (81). (5/98)

- 10. Accounting, bookkeeping (893).
- 11. Pet grooming. (6/01)

**Sec. 2.106.03. Special permitted uses.**

The following uses, when developed under the applicable development standards in the ordinance and special development requirements, are permitted in the RC zone:

- A. Partitions, subject to the provisions in section 2.310. (5/98)
- B. The following special uses, subject to standards in section 2.4:
  - 1. Bed and breakfast establishments (section 2.408). (5/98)
  - 2. Accessory structures and uses prescribed in section 2.203.02. (5/98)

**Sec. 2.106.04. Dimensional standards.**

A. *Minimum lot dimension, building dimension and height requirements.*

Lot size	6,000 sq. ft. minimum; 20,000 sq. ft. maximum
Average width	50 feet minimum
Average depth	80 feet minimum
Building area	A maximum of 50% of the lot area
Building height	35 feet maximum (1)

B. *Minimum yard setback requirements.*

<i>Setbacks</i>	<i>Single-Family or Duplex</i>	<i>Multifamily</i>	<i>Commercial</i>	<i>Industrial</i>
Front	5 feet	5 feet	5 feet	5 feet
Side	5 feet	10 feet	10 feet	10 feet
Rear	(1)	(1)	(1)	(1)
Street-side	5 feet	5 feet	5 feet	5 feet
Garage entrance (2)	20 feet	20 feet	20 feet	20 feet

(1) The rear yard setback shall be as follows: 14 feet for a one-story building and 20 feet for a two-story building. (6/07)

(2) The garage entrance setback shall be measured from the property line or edge of private access easement to the entrance of the garage. The centerline of the driveway shall be measured if the driveway to the garage entrance is not perpendicular to the property line or private access easement. In no case shall a garage be set back less than the minimum front, side, and rear setbacks. (5/98)

**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:

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- A. *Off-street parking and loading.* Parking may not be located within any required yard area. There are no loading space requirements. (7/25)
  - 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)

(Ord. No. 2025-895, § 1(exh. A), 7-7-2025)

### **Sec. 2.106.06. RC zone location requirements.**

- A. RC zoned property shall either be located on a collector or arterial street or be within 300 feet of a collector or arterial street. (5/98)
- B. RC zoned property shall not be located adjacent to MU, CM, CG or industrially zoned property. (5/98)
- C. Except at a public street intersection, no RC zoned parcel can be located within 1000 feet of another parcel zoned RC. This requirement does not apply to the partitioning of an RC zoned parcel. (5/98)

## **2.107. MIXED USE (MU)**

### **Sec. 2.107.01. Purpose.**

The Mixed Use (MU) Zone promotes development that combines differing uses (permitted or special permitted) in a single building or complex. This zone will allow increased development on busier streets without fostering a strip commercial appearance. The zone encourages the formation of neighborhood nodes of activity where residential and commercial uses mix in a harmonious manner. This development type will support transit use, provide a buffer between busy streets and residential neighborhoods, and provide new housing opportunities in the city. (4/08)

The Mixed Use Zone is intended to include a variety of uses identified in this section in relative close proximity to each other as compared to a traditional zone district in which differing uses are segregated. Vertical mixed use is a building in which significant amounts of differing uses are located in the same building with different uses on different floors. While mixed use development is primarily intended to consist of retail or other businesses on the ground floor with housing or office uses on upper stories, it is not required that every building within a mixed use area is developed with different uses within it. Clusters of residential and commercial uses around landscaping features or parking areas will also occur. Development is intended to be pedestrian-oriented with buildings close to and oriented to the sidewalk. Parking may be shared between residential and commercial uses. (4/08)

The Mixed Use Zone is suitable for the medium density residential, medium-high density residential and mixed use comprehensive plan designations. (5/98)

### **Sec. 2.107.02. Permitted uses.**

The following uses, when developed under the applicable development standards in the zoning ordinance, are permitted in the MU zone:

- A. One or more buildings with one or more dwelling units or guest rooms on a lot. (5/98)
- B. One or more buildings with one or more dwelling units or guest rooms and one or more other uses allowed in this section on a lot. (5/98)
- C. Residential homes and facilities. (5/98)
- D. ~~Day care facility~~ Child Care Center for 17 or more children, consistent with state regulations, including family day care provider for 16 or fewer children, consistent with state regulations. (4/16)
- E. Public parks, playgrounds, community clubs, including swimming, tennis and similar recreational facilities, and other public and semi-public uses. (5/98)
- F. Public or private utility substation, but excluding electrical substation. (5/98)
- G. Landscape counseling and planning (078). (5/98)
- H. Transportation, utilities and communication. (5/98)
  1. Travel agency (4722). (5/98)
  2. Communication (48), but excluding communication services, not elsewhere classified (489). (5/98)

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3. Public utility structures and buildings. (5/98)
  4. Transit facilities (section 2.305). (5/09)
  - I. Retail trade. Except as allowed under section 2.107.05.B, the following retail uses shall be limited to buildings of 10,000 square feet or less: (4/08)
    1. General merchandise stores (53). (4/08)
    2. Food stores (54). (4/08)
    3. Apparel and accessory stores (56). (4/08)
    4. Home furnishing, appliance and equipment stores (57). (4/08)
    5. Eating and drinking places (58). (4/08)
    6. Retail, (59) but excluding non-store retailers (596) and fuel and ice dealers (598). (4/08)
    7. Uses listed in 2.107.02.I.1 through 7, if developed in a vertical mixed use development, shall not be considered as a specified use in 2.107.05.E. (10/15)
  - J. Business, professional and social services. The following business and professional and service-oriented uses are allowed:
    1. Finance, insurance and real estate (60, 61, 62, 63, 64, 65, 67). (5/98)
    2. Hotels, motels and lodging facilities (701). (5/98)
    3. Personal services (72), but excluding power laundries, family and commercial (7211), linen supply (7213), dry cleaning plants, except rug cleaning (7216), carpet and upholstery cleaning (7217), and industrial launderers (7218). (5/98)
    4. Business services (73), but excluding disinfecting and exterminating services (7342), building and cleaning services (7349), and equipment rental (735). (5/98)
    5. Watch, clock and jewelry repair (763). (5/98)
    6. Recreational or athletic clubs. (5/98)
    7. Health services (80), but excluding hospitals (806). (5/98)
    8. Legal services (81). (5/98)
    9. Miscellaneous services (89). (5/98)
    10. Community or neighborhood clubs. (5/98)
    11. Parking lots. (5/98)
    12. Pet grooming. (6/01)
    13. Veterinary services (section 2.414). (6/15)
  - K. Public administration (91—97). (5/98)

### **Sec. 2.107.03. Special permitted uses.**

The following uses, when developed under the applicable development standards in the ordinance and special development requirements, are permitted in the MU zone:

- A. Partitions, subject to the provisions in section 2.310. (5/98)
- B. Subdivision, subject to the provisions in section 2.310. (5/98)

- 
- C. Planned unit development, subject to the provisions in section 2.311. (5/98)
  - D. Accessory structures and uses prescribed in section 2.203.02. (5/98)
  - E. The following special uses, subject to the applicable standards in section 2.4:
    - 1. Accessory dwelling unit (section 2.403). (6/23)
    - 2. Home occupations (section 2.407). (5/98)
    - 3. Bed and breakfast establishments (section 2.408). (5/98)
    - 4. Residential sales offices (section 2.409). (5/98)
    - 5. Public golf course (SIC 7992) or membership recreation club having golf course (SIC 7997) (section 2.410). (5/98)
    - 6. Boat and RV storage area (section 2.411). (5/98)
    - 7. House of worship (section 2.423). (5/98)
    - 8. Recreational vehicle storage space (section 2.413). (5/98)
    - 9. Electrical substations (section 2.426). (5/98)
    - 10. Wireless telecommunications facilities (section 2.427). (5/98)
    - 11. Cottage cluster development (section 2.432). (6/22)
    - 12. Mobile food vendor (section 2.434). (7/17)

#### **Sec. 2.107.04. Conditional uses.**

The following uses may be permitted, subject to obtaining a conditional use permit:

- A. Craft industries, subject to the provisions in section 2.421. (5/98)
- B. Transit station (section 2.429). (5/09)

#### **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(l) 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)

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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)

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- 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. *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)
- 5. *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)  
(Ord. No. 2025-895, § 1(exh. A), 7-7-2025)

**Sec. 2.107.06. Dimensional standards.**

A. *Minimum lot dimension and height requirements.* (6/22)

<i>Dimension</i>	<i>Single-Family &amp; Duplex</i>	<i>Triplex</i>	<i>Multifamily</i>	<i>Quadplex &amp; Cottage Clusters</i>	<i>Townhouse</i>	<i>Commercial &amp; Mixed Use</i>
Lot size	4,000 sq. ft.	5,000 sq. ft.	6,000 sq. ft. (1)	7,000 sq. ft.	1,500 sq. ft.	None (2)
Average width	40 feet	40 feet	40 feet	40 feet	20 feet (4)	None
Average depth	70 feet	70 feet	70 feet	70 feet	70 feet	None
Maximum height	35 feet	35 feet	50 feet	Quad: 35 ft.	35 feet	50 feet (3)
				Cottages: 25 ft.		

- (1) Multifamily development must comply with the density standard in section 2.107.07.1. (6/07)
- (2) Parcel size shall be adequate to contain all structures within the required yard setbacks. (6/07)
- (3) Height of vertical mixed use development may exceed this limitation without a concurrent variance and maximum height will be determined during master plan process. (4/08)
- (4) The width for townhouses must be a minimum of 20 feet instead of average 20 feet. (6/22)

B. *Minimum yard setback requirements.* (6/22)

<i>Setbacks (4)</i>	<i>Single-Family, Duplex, Triplex, Quadplex, Townhouse, or Cottage Cluster</i>	<i>Multifamily</i>	<i>Commercial</i>	<i>Mixed Use</i>
Front	10 feet (6)	10 feet	10 feet	10 feet
Side	5 feet (1)	10 feet	(3)	(3)
Rear	(2)	(2)	(3)	(3)
Street-side	10 feet	10 feet	10 feet	10 feet
Garage entrance (5)	20 feet	20 feet	20 feet	20 feet

- (1) Townhouses may have zero-side yard setbacks for interior lot. (6/22)
- (2) The rear yard setback shall be as follows: 14 feet for a one-story single building; 20 feet for a two-story building. The rear yard setback for cottage clusters shall be ten feet. (6/22)
- (3) The rear and side yard setbacks adjacent to a residential zone shall be no less than the minimum rear yard setback of the zone on the adjacent property. In no case shall the setback be less than ten feet, except there is no required setback adjacent to a nonresidential zone. (5/98)
- (4) Setbacks are measured from property lines, not easement lines; however, no structure shall be placed any closer than five feet from the edge of an access easement. (5/98)
- (5) The garage entrance setback shall be measured from the property line or edge of private access easement to the entrance of the garage. The centerline of the driveway shall be measured if the driveway to the garage entrance is not perpendicular to the property line or private access easement. In no case shall a garage be set back less than the minimum front, side, and rear setbacks. (5/98)
- (6) The minimum front setback from an access easement shall be ten feet. (10/15)

C. *Proposals to develop properties in RCOD are subject to dimensional standards in section 2.130.* (12/19)  
(Ord. No. 2024-878, § 2(exh. B), 7-15-2024)

**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:

- A. *Off-street parking.* Parking as specified in section 2.303. (7/25)
- 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)

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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)

(Ord. No. 2025-895, § 1(exh. A), 7-7-2025)

## **2.108. COMMERCIAL OFFICE (CO)**

### **Sec. 2.108.01. Purpose.**

The purpose of the CO (Commercial Office) Zone is to provide areas suitable for professional and general commercial offices, membership organizations, similar low intensity, non-retail commercial activities and medium and high density residential accommodations. The Commercial Office Zone is appropriate in those areas designated commercial in the comprehensive plan where the location calls for limited traffic generation and no increase in traffic except during normal business hours; or commercial uses with low-intensity activity. (5/98)

### **Sec. 2.108.02. Permitted uses.**

The following uses, when developed under the applicable development standards in this zoning ordinance, are permitted in the CO zone:

- A. One or more buildings with one or more dwelling units or guest rooms on a lot except as provided in (44)(b). (5/98)
- B. Rooming and boarding houses (SIC 702). (5/98)
- C. Organization hotels and lodging houses on membership basis (SIC 704). (5/98)
- D. Landscape counseling and planning (SIC 0781). (5/98)
- E. Travel agency (SIC 4722). (5/98)
- F. Telephone/telegraph communication and radio and television broadcasting (SIC 481, 482, 483). (5/98)
- G. Water supply (SIC 494). (5/98)
- H. News dealers and newsstands (SIC 5994). (5/98)
- I. Finance, insurance and real estate (SIC 60, 61, 62, 63, 64, 65, 66, 67). (5/98)
- J. Beauty and barber shops (SIC 723, 724). (5/98)
- K. Consumer credit reporting agencies, mercantile reporting agencies and adjustment and collection agencies (SIC 732). (5/98)
- L. Direct mail advertising services (SIC 7331). (5/98)
- M. Stenographic services and reproduction services not elsewhere classified (SIC 7339). (5/98)
- N. News syndicates (SIC 735). (5/98)
- O. Personnel supply services (SIC 736). (5/98)
- P. Computer and data processing services (SIC 737). (5/98)
- Q. Management, consulting and public relations (SIC 7392). (5/98)
- R. Detective agencies and protective services (SIC 7393). (5/98)
- S. Commercial testing laboratories (SIC 7397). (5/98)

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- T. Parking lots (SIC 7523). (5/98)
  - U. Health services (SIC 80), except hospitals (SIC 806) and nursing and personal care facilities (SIC 805). (5/98)
  - V. Legal services (SIC 81). (5/98)
  - W. Correspondence schools and vocational schools (SIC 824). (5/98)
  - X. Schools and educational services not elsewhere classified (SIC 829). (5/98)
  - Y. Individual and family services (SIC 832). (5/98)
  - Z. Social services, not elsewhere classified (SIC 839). (5/98)
  - AA. Membership organizations (SIC 86). (5/98)
  - BB. Miscellaneous services (SIC 89). (5/98)
  - CC. Executive offices (SIC 911). (5/98)
  - DD. Executive and legislative combined (SIC 913). (5/98)
  - EE. Finance, taxation, and monetary policy (SIC 93). (5/98)
  - FF. Administration of human resources programs (SIC 94). (5/98)
  - GG. Administration of environmental quality and housing programs (SIC 95). (5/98)
  - HH. Administration of economic programs (SIC 96). (5/98)
  - II. National security and international affairs (SIC 97). (5/98)
  - JJ. Community or neighborhood clubs. (5/98)
  - KK. Swimming pools open to the public free or for a fee. (5/98)
  - LL. Public parks, playgrounds, and other public and semi-public uses. (5/98)
  - MM. Public utility structures and buildings. (5/98)
  - NN. Residential home care for five or fewer persons and adult residential home care. (5/98)
  - NN:OO. Registered Family Child Care Home
  - OO:PP. ~~Family day care provider~~ Certified Family Child Care Home for 16 or fewer children, consistent with state regulations. (4/16)
  - PP:QQ. Child foster home. (6/99)
  - QQ:RR. Elementary and secondary schools (SIC 8211). (5/98)
  - RR:SS. Transit facilities (section 2.305). (5/09)

### Sec. 2.108.03. Special permitted uses.

The following special uses, subject to the applicable standards in section 2.4:

- A. Funeral service and crematories (SIC 726). (5/98)
- B. Home occupations. (5/98)
- C. Day care facility Child Care Center for 17 or more children, consistent with state regulations. (4/16)

- D. Domiciliary care facility (SIC 836). (5/98)
- E. Bed and breakfast establishments. (5/98)
- F. Veterinary services (SIC 074). (5/98)
- G. Mixed-use buildings. (5/98)
- H. House of worship. (5/98)
- I. Wireless telecommunications facilities (section 2.421). (5/98)
- J. Medical marijuana facilities (section 2.433). (10/14)
- K. Marijuana retailer (section 2.433). (1/16)
- L. Mobile food vendors (section 2.434). (5/19)

**Sec. 2.108.04. Conditional uses.**

The following uses may be permitted, subject to obtaining a conditional use permit:

- A. Transit station (section 2.429). (5/09)

**Sec. 2.108.05. Dimensional standards.**

- A. *Minimum lot dimension and height requirements.* (6/22)

<i>Dimension</i>	<i>Single-Family</i>	<i>Duplex, Triplex, Quadplex or Multifamily</i>	<i>Commercial</i>	<i>Mixed Use</i>
Lot size	4,000 sq. ft. (1)	6,000 sq. ft. (2)	None (3)	None (3)
Average width	40 feet	50 feet	None	None
Average depth	70 feet	80 feet	None	None
Maximum height	35 feet	50 feet	50 feet	50 feet

(1) A single-family dwelling attached on one side has a minimum lot area of 3,500 square feet, and a single-family dwelling attached on both sides has a minimum lot area of 3,000 square feet. (5/98)

(2) Multifamily development must comply with the density standard in section 2.107.07. (5/98)

(3) Parcel size shall be adequate to contain all structures within the required yard setbacks and, where applicable, comply with residential density standards in section 2.108.05. (5/98)

- B. *Minimum yard setback requirements.* (6/22)

<i>Setbacks</i>	<i>Single-Family or Duplex</i>	<i>Triplex, Quadplex or Multifamily</i>	<i>Commercial</i>	<i>Mixed Use</i>
Front	10 feet	10 feet	10 feet	10 feet
Side	5 feet	(2)	(2)	(2)
Rear	(1)	(2)	(2)	(2)
Street-side (4)	10 feet	10 feet	10 feet	10 feet
Garage entrance (5)	20 feet (4)	20 feet (4)	20 feet (4)	20 feet (4)

- (1) The rear yard setback shall be as follows: 14 feet for a one-story home, 20 feet for a two-story home. (5/98)
- (2) The setback shall be no less than the minimum rear yard setback of the zone on the adjacent property. (5/98)
- (3) Setbacks are measured from property lines, not easement lines; however, no structure shall be placed any closer than five feet from the edge of an access easement. (5/98)
- (4) The garage entrance setback shall be measured from the property line or edge of private access easement to the entrance of the garage. The centerline of the driveway shall be measured if the driveway to the garage entrance is not perpendicular to the property line or private access easement. In no case shall a garage be set back less than the minimum front, side, and rear setbacks. (5/98)

(Ord. No. 2024-878, § 2(exh. B), 7-15-2024)

**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. (7/25)

- A. *Off-street parking.*
  - 1. Parking as specified in section 2.303. (7/25)
  - 2. If provided, parking 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. (7/25)
- 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. (7/25)
- 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)

(Ord. No. 2025-895, § 1(exh. A), 7-7-2025)

**Sec. 2.108.07. Design standards.**

All development in the CO zone shall comply with the applicable design standards described below:

- A. *Building design standards.* Primary buildings shall comply with the following design standards:
  - 1. *Design standards.* Unless specifically modified by provisions in this section, buildings located within the CO zone shall comply with the following standards: (5/98)
    - a. Single-family homes shall comply with the design standards in section 2.314. (5/98)
    - b. Multifamily buildings and nonresidential structures shall comply with the provisions in section 2.315 (development standards). (4/12)

## **2.110. COMMERCIAL MIXED USE (CM)**

### **Sec. 2.110.01. Purpose.**

The Commercial Mixed Use (CM) Zone is the primary commercial zone within the city. The zone is specifically designed to promote development that combines commercial and residential uses. This zone will support transit use, provide new housing opportunities while allowing a full range of commercial retail, service and office uses.

Development is intended to be pedestrian-oriented with buildings close to and oriented to the sidewalk. Parking may be shared between residential and commercial uses.

Clusters of residential and commercial uses around landscaping features or parking areas can occur and are encouraged. The Commercial Mixed Use Zone is suitable for the commercial plan designation. (5/98)

### **Sec. 2.110.02. Permitted uses.**

The following uses, when developed under the applicable development standards in the zoning ordinance, are permitted in the CM zone:

- A. One or more buildings with one or more dwelling units or guest rooms and/or one or more other uses allowed in this section on a lot. (5/98)
- B. Residential homes and facilities. (5/98)
- C. ~~Day care facility~~Child Care Center for 17 or more children, consistent with state regulations, including ~~family day care provider~~Certified Family Child Care Home for 16 or fewer children and Registered Family Child Care Home, consistent with state regulations. (4/16)
- D. Public parks, playgrounds, community clubs, including swimming, tennis and similar recreational facilities, and other public and semi-public uses. (5/98)
- E. Landscape counseling and planning (0781). (5/98)
- F. Offices for any use listed in SIC Division C, Construction. (5/98)
- G. Commercial printing (275). (5/98)
- H. Transportation, communication and utilities. (5/98)
  1. Public utility structures and buildings. (5/98)
  2. Post office (43). (5/98)
  3. Travel agency (4722). (5/98)
  4. Communications (48). (5/98)
- I. Retail trade. (5/98)
  1. Building materials, hardware, retail nurseries, and garden supply (52), but excluding mobile home dealers (527). (5/98)
  2. General merchandise stores (53). (5/98)
  3. Food stores (54). (5/98)

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4. Automobile, recreational vehicle or trailer sales (55), but excluding gasoline service stations (554). (5/98)
  5. Apparel and accessory stores (56). (5/98)
  7. Furniture, home furnishings, and equipment stores (57). (5/98)
  8. Eating and drinking places (58), except as provided in section 2.110.05 below. (5/98)
  9. Miscellaneous retail (59), but excluding fuel and ice dealers (598). (5/98)
  10. Electrical and lighting shops and office machines and equipment stores. (5/98)
- J. Business, professional and social services. (5/98)
1. Finance, insurance and real estate (60, 61, 62, 63, 64, 65, 67). (5/98)
  2. Hotels, motels and tourist courts (701). (5/98)
  3. Organization hotels and lodging houses on membership basis (704). (5/98)
  4. Personal services (72), but excluding industrial launderers (7218). (5/98)
  5. Business services (73), but excluding disinfecting and exterminating services (7342). (5/98)
  6. Parking lots (7523), except as provided in section 2.110.05 below. (5/98)
  7. Miscellaneous repair services (76). (5/98)
  8. Motion pictures (78), but excluding drive-ins (7838). (5/98)
  9. Amusement and recreation (79), but excluding golf courses (7992) and amusement parks (7996). (5/98)
  10. Health services (80), but excluding hospitals (806). (5/98)
  11. Legal services (81). (5/98)
  12. Elementary and secondary schools (8211). (5/98)
  13. Correspondence schools and vocational schools (824). (5/98)
  14. Schools and educational services not elsewhere classified (829). (5/98)
  15. Social services (83). (5/98)
  16. Museums, art galleries, botanical and zoological gardens (84). (5/98)
  17. Membership organizations (86). (5/98)
  18. Miscellaneous services (89). (5/98)
  19. Pet grooming. (6/01)
- K. Public administration (91—97). (5/98)
- L. Child foster home for five or fewer children as a secondary use. (6/99)

### **Sec. 2.110.03. Special permitted uses.**

The following uses, when developed under the applicable development standards in the ordinance and special development requirements, are permitted in the CM zone:

- A. Partitions, subject to the provisions in section 2.310. (5/98)

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- B. Subdivision, subject to the provisions in section 2.310. (5/98)
  - C. Planned unit development, subject to the provisions in section 2.311. (5/98)
  - D. Accessory structures and uses prescribed in section 2.203. (5/98)
  - E. Transit facilities (section 2.305). (5/09)
  - F. The following special uses, subject to the applicable standards in section 2.4: (6/22)
    - 1. Accessory dwelling unit (section 2.403). (6/23)
    - 2. Home occupations (section 2.407). (5/98)
    - 3. Bed and breakfast establishments (section 2.408). (5/98)
    - 4. Residential sales offices (section 2.409). (5/98)
    - 5. Public golf course (7992) or membership recreation club having golf course (7997) (section 2.410). (5/98)
    - 6. Boat and RV storage area (section 2.411), except as provided in section 2.110.05 below. (5/98)
    - 7. House of worship (section 2.423). (5/98)
    - 8. Recreational vehicle storage space (section 2.413), except as provided in section 2.110.05 below. (5/98)
    - 9. Veterinary services (074) (section 2.414). (5/98)
    - 10. Funeral service and crematories (726) (section 2.415). (5/98)
    - 11. Used merchandise store (section 2.417).
    - 12. Adult entertainment business (section 2.418). (5/98)
    - 13. Service stations (554) (section 2.419), except as provided in section 2.110.05 below. (5/98)
    - 14. Recreational vehicle parks (7033) (section 2.412), except as provided in section 2.110.05 below. (5/98)
    - 15. Automobile services (75) (section 2.420), except as provided in section 2.110.05 below. (5/98)
    - 16. Manufacturing and assembly facilities (section 2.421). (5/98)
    - 17. Wireless telecommunications facilities (section 2.427). (5/98)
    - 18. Medical marijuana facilities (section 2.433). (10/14)
    - 19. Marijuana retailer (section 2.433). (1/16)
    - 20. Mobile food vendor (section 2.434). (9/16)

#### **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. The following uses may be allowed conditionally on the east side of Keizer Station Boulevard in Keizer Station Area B. (12/25)
  - 1. Drive-through windows or car service associated with eating and drinking places (58). (12/25)

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2. Automotive services, except repair (754). (12/25)

In addition to the conditional use criteria found in Section 3.103.03, the following requirements must be satisfied: (7/25)

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. (7/25)
2. Employ access management and control standards as appropriate to eliminate and/or reduce conflicts. (7/25)
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. (7/25)

(Ord. No. 2025-899, § 1(exh. A), 8-4-2025; Ord. No. 2025-904, § 1(exh. A), 12-15-2025)

### **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 contained within the Area B as described in the Keizer Station Plan. (7/25)
  1. Gasoline service stations (554), except as provided in section 2.110.04.C. (9/17)
  2. Vehicle sales and secondary repair. (5/98)
  3. Public utility structures and buildings. (5/98)
  4. Recreational vehicle parks (7033). (5/98)
  5. Automobile parking not associated with an allowed use (752). (5/98)
  6. Automotive dealers (55). (5/98)
  7. Automotive rental and leasing, without drivers (751). (5/98)
  8. Automotive repair shops (753). (5/98)
  9. 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)

(Ord. No. 2025-899, § 1(exh. A), 8-4-2025)

### **Sec. 2.110.06. Dimensional standards.**

- A. *Minimum lot dimension and height requirements.* (6/22)

<i>Dimension</i>	<i>Single-Family</i>	<i>Duplex, Triplex, Quadplex or Multifamily</i>	<i>Commercial</i>	<i>Mixed Use</i>
Lot size	4,000 sq. ft. (1)	6,000 sq. ft. (2)	None (3)	None (3)
Average width	40 feet	50 feet	None	None
Average depth	70 feet	80 feet	None	None
Maximum height	35 feet	50 feet	50 feet	50 feet

(1) A single-family dwelling attached on one side has a minimum lot area of 3,500 square feet, and a single-family dwelling attached on both sides has a minimum lot area of 3,000 square feet. (5/98)

(2) Multifamily development must comply with the density standard in section 2.110.07. (5/98)

(3) Parcel size shall be adequate to contain all structures within the required yard setbacks and, where applicable, comply with residential density standards in section 2.110.07. (5/98)

**B. Minimum yard setback requirements. (6/22)**

<i>Setbacks</i>	<i>Single-Family or Duplex</i>	<i>Triplex, Quadplex or Multifamily</i>	<i>Commercial</i>	<i>Mixed Use</i>
Front	10 feet	10 feet	10 feet	10 feet
Side	5 feet	(2)	(2)	(2)
Rear	(1)	(2)	(2)	(2)
Street-side (3)	10 feet	10 feet	10 feet	10 feet
Garage entrance (4)	20 feet (4)	20 feet (4)	20 feet (4)	20 feet (4)

(1) The rear yard setback shall be as follows: 14 feet for a one-story home, 20 feet for a two-story home. (5/98)

(2) The setback shall be no less than the minimum rear yard setback of the zone on the adjacent property. For the CM zone, the rear yard setback is zero feet. (5/98)

(3) Setbacks are measured from property lines, not easement lines; however, no structure shall be placed any closer than five feet from the edge of an access easement. (5/98)

(4) The garage entrance setback shall be measured from the property line or edge of private access easement to the entrance of the garage. The centerline of the driveway shall be measured if the driveway to the garage entrance is not perpendicular to the property line or private access easement. In no case shall a garage be set back less than the minimum front, side, and rear setbacks. (5/98)

(Ord. No. 2024-878, § 2(exh. B), 7-15-2024)

**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 as specified in section 2.303. (7/25)
- 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. (7/25)
- 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)

(Ord. No. 2025-895, § 1(exh. A), 7-7-2025)

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**Sec. 2.110.08. Design standards.**

All development in the CM zone shall comply with the applicable design standards described below:

- A. *Building design standards.* Primary buildings shall comply with the following design standards: (5/98)
  - 1. *Design standards.* Unless specifically modified by provisions in this section, buildings located within the CM zone shall comply with the following standards: (5/98)
    - a. Single-family homes shall comply with the design standards in section 2.314. (5/98)
    - b. Multifamily buildings and nonresidential structures shall comply with the provisions in section 2.315 (development standards). ( 4/12)

## **2.113. INDUSTRIAL BUSINESS PARK (IBP)**

### **Sec. 2.113.01. Purpose and uses.**

- A. *Purpose.* The IBP zone is intended to provide for high-quality light industrial and office parks with related commercial uses. It sets high design standards focusing on visual aesthetics while providing a framework for the marketplace to work within creating vibrant, economically viable commerce centers. (5/98)
- B. *Classification of uses.* Most permitted, special, and conditional uses are classified with reference to the Standard Industrial Classification (SIC) Manual. Numbers in parentheses following a use designation indicate that the use is listed and described under the number in the SIC. Where particular activities otherwise included under a SIC category are excluded from the permitted, a special, or conditional uses, those particular activities are listed, preceded by the words "but excluding" following the more general category from which they are excluded. Particular activities thus excluded may or may not be listed in other sections of this chapter. The IBP zone may be utilized in conjunction with overlay zones, such as the AC (Activity Center) overlay zone used within the Keizer Station Plan, which may include use and development standards which are more restrictive than those found in this chapter. (2/03)

### **Sec. 2.113.02. Permitted uses.**

The following uses, when developed under the general development standards in this zoning code applicable to the IBP district and to all such uses, generally, are permitted in the IBP district: (5/98)

- A. Agriculture forestry and fishing. (5/98)
  - 1. Agricultural production-crops (01). (5/98)
- B. Manufacturing. (5/98)
  - 1. Grain mill products (204). (5/98)
  - 2. Bakery products (205). (5/98)
  - 3. Beverages (208). (5/98)
  - 4. Miscellaneous food preparations and kindred products (209). (5/98)
  - 5. The manufacture of meat products (201), but excluding both meat packing plant and any on site abattoirs and slaughtering (2011), rendering of fats (2077), processing of hides and maintenance of live animals or fowl. (5/98)
  - 6. Textile mill products (22). (5/98)
  - 7. Apparel and other finished products made from fabrics and similar products (23). (5/98)
  - 8. Wood kitchen cabinets (2434). (5/98)
  - 9. Nailed and lock corner wood boxes and shook (2441). (5/98)
  - 10. Wood products, not elsewhere classified (2499). (5/98)
  - 11. Furniture and fixtures (25). (5/98)
  - 12. Paperboard containers and boxes (265). (5/98)

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13. Printing, publishing, and allied industries (27). (5/98)
  14. Drugs (283). (5/98)
  15. Soaps detergents, and cleaning preparations, perfumes, cosmetics, and other toilet preparations (284). (5/98)
  16. Miscellaneous plastic products (308). (5/98)
  17. Leather and leather products (31) but excluding leather tanning and finishing (311). (5/98)
  18. Glass products made of purchased glass (323). (5/98)
  19. Pottery and related products (326). (5/98)
  20. Metal cans and shipping containers (341). (5/98)
  21. Cutlery, hand tools, and general hardware (342). (5/98)
  22. Heating equipment, except electric and warm air, and plumbing fixtures (343). (5/98)
  23. Fabricated structural metal products (344). (5/98)
  24. Screw machine products, and bolts, nuts, screws, rivets, and washers (345). (5/98)
  25. Metal forgings and stampings (346). (5/98)
  26. Metalworking machinery and equipment (354). (5/98)
  27. Special industry machinery, except metalworking machinery (355). (5/98)
  28. Pumps and pumping equipment (3561). (5/98)
  29. Office, computing, and accounting machines (357). (5/98)
  30. Electrical and electronic machinery, equipment, and supplies (36). (5/98)
  31. Transportation equipment (37). (5/98)
  32. Measuring, analyzing, and controlling instruments; photographic, medical, and optical goods; watches and clocks (38). (5/98)
  33. Miscellaneous manufacturing industries (39). (5/98)
- C. Transportation, communications, electric, gas, and sanitary services.
1. Motor freight transportation and warehousing (42). (5/98)
  2. Communication (48). (5/98)
  3. Public utility structures and buildings (49). (5/98)
- D. Wholesale trade, nondurable goods (51), but excluding poultry and poultry products (5144), livestock (5154), farm product raw materials, not elsewhere classified (5159), chemicals and allied products (5169), tobacco and tobacco products (5194), and nondurable goods, not elsewhere classified (5199). (5/98)
- E. Wholesale trade, durable goods (50), but excluding automobiles and other motor vehicles (501), lumber and other construction materials (503), coal and other minerals and ores (5052), construction and mining machinery and equipment (5082) and scrap and waste materials (5093). (5/98)
- F. The uses (b) through (e), excluding (c)(iii), shall:
1. Be within an enclosed building; and

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2. Permit retail sales of products manufactured on the site. (5/98)
- G. Services. (5/98)
1. Computer and data processing services (737). (5/98)
  2. Research and development laboratories (873). (5/98)
  3. Management, consulting, and public relations services (874). (5/98)
  4. Noncommercial educational, scientific, and research organizations (8733). (5/98)
- H. Public administration. (5/98)
1. Public order and safety (922), except correctional institutions (9223). (1/07)
- I. Office uses. (5/98)
1. Any use allowed in section 2.108 (commercial office), excluding those residential uses listed in 2.108.02.A, B, C, PP, and RR. (5/98)
- J. Retail trade. (5/98)
1. Eating and drinking places (58). (5/98)
- K. Finance, insurance, and real estate. (5/98)
1. Commercial and stock savings banks (602). (5/98)
  2. Mutual savings bank (603). (5/98)
  3. Savings and loan associations (603). (5/98)
  4. Personal credit institutions (606). (5/98)
- L. Services. (7/06)
1. Hotels, motels, and tourist courts (7011). (5/98)
  2. ~~Day care facility~~Child Care Center for 17 or more children, consistent with state regulations. (8351). (4/16)
  3. Membership sports and recreation clubs (7997). (5/98)
  4. Amusement and recreation (79), but excluding golf courses (7992) and amusement parks (7996). (2/03)
  5. Motion pictures (78), but excluding drive-in motion picture theaters (7833). (7/06)
  6. Public and private sports facilities, including, but not limited to, stadiums, arenas, ice rinks, parks, and aquatic facilities. (2/03)
  7. Miscellaneous services. (5/98)
- M. Transit facilities. (5/09)
- N. Flexible space uses.
1. The following uses, when restricted, developed, and conducted as required in subsections 2 and 3 below, are permitted in the IBP district:
    - a. Food stores (54). (5/98)
    - b. Apparel and accessory stores (56). (5/98)
    - c. Furniture, home furnishings and equipment stores (57). (5/98)

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- d. Miscellaneous retail (59); but excluding used merchandise stores (5932). (5/98)
  - e. Business services (73). (5/98)
  - f. Miscellaneous repair services (76). (5/98)
2. In the Keizer Station Plan where flexible space uses are to be developed within the IBP district, the following development limits apply: (2/03)
- a. No single building shall be more than 25,000 square feet in area, with no more than 10,000 square feet to be utilized for any individual use listed in subsections 1(a) through (d). (7/04)
  - b. The aggregate floor area for uses devoted to food stores (54), apparel and accessory stores (56), furniture, home furnishings, and equipment stores (57), and miscellaneous retail (59) shall not exceed two percent of the total land area in the IBP district. "IBP district" is defined as IBP zoned property within the Keizer Station, including any internal public streets. In no case shall each contiguously zoned IBP district within the Keizer Station exceed 32,400 square feet of flexible use space as set forth in subsections 1.a through d. (7/04)
  - c. The area developed in all flexible space uses shall in the aggregate not exceed 30 percent of the gross area of the IBP district. (5/98)
  - d. Any outdoor storage area shall:
    - i. Be no more than 3,000 square feet per building and shall not be aggregated with the storage of another building;
    - ii. Be enclosed with a sight-obscuring fence or wall;
    - iii. Have at least one side coterminous with the building that it serves;
    - iv. Have no opening within 50 feet and visible from any property boundary; and
    - v. Meet the other applicable requirements of this ordinance. (5/98)
  - e. Loading doors shall have no opening within 75 feet and visible from any street or property boundary. (5/98)
  - f. Buildings fronting a street and within 50 feet of an abutting property shall have glass frontage not less than 35 percent of the area of the street front wall. (5/98)
  - g. All buildings shall be capable of development as flexible industrial space. (5/98)
3. For land that is outside of the Keizer Station where no master plan is established and where flexible space uses are to be developed, the following development limits apply: (1/07)
- a. Properties to be developed with flexible space uses shall have frontage along an arterial street. (1/07)
  - b. Any outdoor storage area shall: (1/07)
    - i. Be enclosed with a sight-obscuring fence or wall; (1/07)
    - ii. Have at least one side coterminous with the building that it serves; (1/07)
    - iii. Have no opening for loading that is within 50 feet of a property boundary unless it is screened in accordance with provisions as specified in section 2.113.05; and (1/07)
    - iv. Meet the other applicable requirements of this ordinance. (1/07)

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- c. Buildings fronting a street shall have not less than 35 percent of the area of the street front wall with windows, displays or doorway openings. (1/07)
  - O. Wireless telecommunications facilities (section 2.427). (5/98)
  - P. Medical marijuana facilities (section 2.433). (10/14)
  - Q. Marijuana grow site (section 2.433). (10/14)
  - R. Marijuana retailer (section 2.433). (1/16)
  - S. Marijuana processor (section 2.433). (1/16)
  - T. Marijuana producer (section 2.433). (1/16)
  - U. Marijuana wholesaler (section 2.433). (1/16)
  - V. Mobile food vendor (section 2.434). (7/17)

### **Sec. 2.113.03. Conditional use.**

The following uses may be permitted, subject to obtaining a conditional use permit:

- A. Transit station (section 2.429). (5/09)

### **Sec. 2.113.04. Prohibited uses.**

Within any IBP district, no building, structure, or land shall be used, erected, structurally altered, or enlarged for any use not permitted under this chapter. (5/98)

### **Sec. 2.113.05. Industrial performance standards.**

In an IBP district no land or structure shall be used or occupied unless maintained and operated in continuing compliance with all applicable standards adopted by the Oregon Department of Environmental Quality (DEQ), including the holding of all licenses and permits required by DEQ regulation, local ordinance, and state and federal law. (5/98)

### **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)

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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.

- 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.* (7/25)
  - 1. *Parking.*
    - a. All provided parking shall be set back at least ten feet from all interior property lines. (7/25)
  - 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)

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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)

(Ord. No. 2025-895, § 1(exh. A), 7-7-2025)

## **2.119. GENERAL EMPLOYMENT (EG)**

### **Sec. 2.119.01. Purpose.**

The General Employment (EG) Zone is located within the Keizer Station Plan (KSP) Area A, Village Center, and it corresponds directly with the special planning district (SPD) designation as described in the KSP and the Keizer Comprehensive Plan.

Consistent with the KSP, the EG zone promotes a complementary mix of economic uses, development intensity, and development standards along with a wide range of employment opportunities. The EG zone regulations protect the health, safety and welfare of the public, address area character, and address environmental concerns, while enhancing economic opportunities in Keizer. The intent is to promote attractive industrial/commercial areas, which will support the economic viability of the city. In addition, the regulations provide certainty to property owners, developers, and neighbors about the limits of what is allowed. (2/03)

### **Sec. 2.119.02. Commercial and industrial use limitations.**

- A. To implement the KSP, the EG zone requires that a minimum of 25 percent of all the EG zone land area be devoted to listed industrial uses and allows a maximum of 75 percent of the EG zone land area to be developed with commercial uses. The specific industrial and commercial uses are defined in this chapter. The EG zone is unique because the location of the particular areas devoted to industrial and commercial uses shall be determined as part of the required master plan review described in chapter 2.125 of this zoning ordinance. (9/18)
- B. The land use limitations of the EG zone include: (2/03)
  - 1. Permitted and special permitted industrial uses, in sections 2.119.03 and 2.119.04, respectively, represent the allowable uses for the portion of the EG zone so designated as part of the master plan approval required by chapter 2.125. A minimum of 25 percent of the land area of the EG zone shall be devoted to these uses. (9/18)
  - 2. Permitted and special permitted commercial uses, in sections 2.119.05 and 2.119.06, respectively, represent the allowable uses for the portion of the EG zone so designated as part of a master plan approval required by chapter 2.125. A maximum of 75 percent of the land area of the EG zone may be devoted to these uses. (9/18)
  - 3. Use restrictions, which apply to the entire EG zone, are identified in section 2.119.07. (2/03)

### **Sec. 2.119.03. Permitted industrial uses.**

*Industrial development.* The following uses, drawn from the IBP and IG zones, when developed under the applicable development standards in the zoning ordinance, are permitted in the EG zone on a minimum 25 percent gross acreage of the Village Center: (2/03)

- A. Construction contractor's offices (15). (2/03)
- B. Manufacturing.
  - 1. Bakery products (205). (2/03)

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2. Beverages (208). (2/03)
  3. Miscellaneous food preparations and kindred products (209). (2/03)
  4. The manufacture of meat products (201), but excluding both meat packing plants (2011) and any on site abattoirs and slaughtering, rendering of fats, processing of hides and maintenance of live animals or fowl (poultry slaughtering and processing (2015)). (2/03)
  5. Textile mill products (22). (2/03)
  6. Apparel and other finished products made from fabrics and similar products (23). (2/03)
  7. Wood kitchen cabinets (2434). (2/03)
  8. Nailed and lock corner wood boxes and shook (2441). (2/03)
  9. Wood products, not elsewhere classified (2499). (2/03)
  10. Furniture and fixtures (25). (2/03)
  11. Paperboard containers and boxes (265). (2/03)
  12. Printing, publishing, and allied industries (27). (2/03)
  13. Drugs (283), but excluding biological products, except diagnostic substances (2836). (2/03)
  14. Leather and leather products (31) but excluding leather tanning and finishing (311). (2/03)
  15. Glass products, made of purchased glass (323). (2/03)
  16. Pottery and related products (326). (2/03)
  17. Metal cans and shipping containers (341). (2/03)
  18. Cutlery, hand tools, and general hardware (342). (2/03)
  19. Heating equipment, except electric and warm air, and plumbing fixtures (343). (2/03)
  20. Fabricated structural metal products. (344). (2/03)
  21. Screw machine products, and bolts, nuts, screws, rivets, and washers. (345). (2/03)
  22. Metal forgings and stampings (346). (2/03)
  23. Metalworking machinery and equipment (354). (2/03)
  24. Special industry machinery, except metalworking machinery (355). (2/03)
  25. Pumps and pumping equipment (3561). (2/03)
  26. Office, computing, and accounting machines (computer and office equipment (357); calculating and accounting machines, except electronic computers) (3578); office machines, not elsewhere classified (3579). (2/03)
  27. Electrical and electronic machinery, equipment, and supplies (electronic and other electrical equipment and components, except computer equipment (36)). (2/03)
  28. Transportation equipment (37). (2/03)
  29. Measuring, analyzing, and controlling instruments; photographic, medical, and optical goods; watches and clocks (38). (2/03)
  30. Miscellaneous manufacturing industries (39). (2/03)
- C. Transportation, communications, electric, gas, and sanitary services.

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1. Communication (48). (2/03)
  2. Public utility structures and buildings (electric, gas, and sanitary services (49)). (2/03)
- D. Wholesale trade-nondurable goods (51), but excluding poultry and poultry products (5144), livestock (5154), farm product raw materials, not elsewhere classified (5159), chemicals and allied products (516), tobacco and tobacco products (5194), and nondurable goods, not elsewhere classified (5199). (2/03)
- E. Wholesale trade-durable goods (50), but excluding automobiles and other motor vehicles (5012), lumber and other construction materials (503), coal and other minerals and ores (5052), construction and mining machinery and equipment (5082) and scrap and waste materials (5093). (2/03)
- F. The uses listed in above A through D, excluding B(1), shall:
1. Be within an enclosed building; and (2/03)
  2. Permit retail sales of products manufactured on the site. (2/03)
- G. Services.
1. Computer and data processing services (737). (2/03)
  2. Research and development laboratories. (2/03)
  3. Management, consulting, and public relations services (management and public relations services (874)). (2/03)
  4. Noncommercial educational, scientific, and research organizations. (2/03)
- H. Office uses.
1. Any use allowed in section 2.108 (commercial office), excluding those residential uses listed in section 2.108.02A, B, C, PP, and RR and parking lots U. (2/03)
- I. Finance, insurance, and real estate.
1. Commercial and stock savings banks (602). (2/03)
  2. Mutual savings bank. (2/03)
  3. Savings and loan associations (603). (2/03)
  4. Personal credit institutions (614). (2/03)
- J. Public administration. (2/03)
1. Fire protection (9224). (2/03)
- K. Retail trade.
1. Eating and drinking places. (2/03)
- L. Services.
1. Hotels, motels, and tourist courts. (2/03)
  2. ~~Day care facility~~Child Care Center for 17 or more children, consistent with state regulations. (4/16)
  3. Membership sports and recreation clubs. (2/03)
  4. Amusement and recreation (79), but excluding golf courses (7992) and amusement parks (7996). (2/03)

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5. Motion pictures (78), but excluding drive-in motion picture theaters (7833). (7/06)
  6. 8. Public and private sports facilities, including, but not limited to, stadiums, arenas, ice rinks, parks, and aquatic facilities. (2/03)
  7. 9. Miscellaneous services, including pest control (7342). (2/03)
- M. Transit facilities (section 2.305). (5/09)
- N. Flexible space uses. (2/03)
1. The following flexible space uses, when restricted, developed, and conducted as required in subsection 2 below, are permitted as industrial business park uses within the EG zone:
    - a. Food stores (54). (2/03)
    - b. Apparel and accessory stores (56). (2/03)
    - c. Furniture, home furnishings and equipment stores (57). (2/03)
    - d. Miscellaneous retail; but excluding used merchandise stores (59). (2/03)
    - e. Business services. (2/03)
    - f. Miscellaneous repair services. (2/03)
  2. In the Keizer Station, where flexible space uses are to be developed as industrial business park uses within the EG zone, the following development limits apply; (2/03)
    - a. No single building shall be more than 25,000 square feet in area, with no more than 10,000 square feet to be utilized for any individual use listed in subsection (L)(1)(a)—(d). (2/03)
    - b. The aggregate floor area for uses devoted to food stores (54), apparel and accessory stores (56), furniture, home furnishings, and equipment stores (57), and miscellaneous retail (59) shall not exceed two percent of the total land area in the acreage identified for IBP uses within the EG zone. The acreage identified for IBP uses within the EG zone is defined as parcel or area of land used for IBP use land development, including building site, parking, landscaping, drainage facilities and any other development on site to support the use on site. (2/03)
    - c. The area developed in all flexible space uses shall in the aggregate not exceed 30 percent of the gross area of the acreage identified for IBP uses within the EG zone. (2/03)
    - d. Any outdoor storage area shall:
      - 1) Be no more than 3,000 square feet per building and shall not be aggregated with the storage of another building; (2/03)
      - 2) Be enclosed with a sight-obscuring fence or wall; (2/03)
      - 3) Have at least one side conterminous with the building that it serves; (2/03)
      - 4) Have no opening within 50 feet and visible from any property boundary; and (2/03)
      - 5) Meet the other applicable requirements of this ordinance. (2/03)
    - e. Loading doors shall have no opening within 75 feet and visible from any street or property boundary. (2/03)
    - f. All buildings shall be capable of being redeveloped as flexible industrial space. (2/03)

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#### **Sec. 2.119.04. Special permitted industrial uses.**

- A. Accessory structures and uses prescribed in section 2.203 are permitted when developed in conjunction with a use listed in section 2.119.03 under the applicable development standards in this zoning ordinance. (2/03)
- B. Medical marijuana facilities (section 2.433). (10/14)
- C. Marijuana grow sites (section 2.433). (10/14)
- D. Marijuana retailer (section 2.433). (1/16)
- E. Marijuana processor (section 2.433). (1/16)
- F. Marijuana producer (section 2.433). (1/16)
- G. Marijuana wholesaler (section 2.433). (1/16)
- H. Mobile food vendor (section 2.434). (7/17)

#### **Sec. 2.119.05. Conditional uses (industrial uses).**

The following uses may be permitted, subject to obtaining a conditional use permit:

- A. Transit stations (section 2.429). (5/09)

#### **Sec. 2.119.06. Permitted commercial uses.**

Commercial development. The following uses, when developed under the applicable development standards in this zoning ordinance, are permitted in the EG zone on a maximum 75 percent gross acreage of the Village Center: (2/03)

- A. One or more buildings with one or more dwelling units or guest rooms and/or one or more other uses allowed in this section on a lot. (2/03)
- B. Residential homes and facilities. (2/03)
- C. ~~Day care facility~~Child Care Center for 17 or more children, consistent with state regulations, including Certified Family Child Care Home ~~family day care provider~~ for 16 or fewer children and Registered Family Child Care Home consistent with state regulations. (8351). (4/16)
- D. Public parks, playgrounds, community clubs, including swimming, tennis and similar recreational facilities, and other public and semi-public uses. (2/03)
- E. Landscape counseling and planning (0781). (2/03)
- F. Offices for any use listed in SIC Division C, Construction. (2/03)
- G. Commercial printing (275). (2/03)
- H. Transportation, communication and utilities. (2/03)
  - 1. Public utility structures and buildings. (2/03)
  - 2. Post office (43). (2/03)
  - 3. Travel agency (4722). (2/03)
  - 4. Communications (48). (2/03)
  - 5. Transit facilities (section 2.305). (5/09)

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- I. Retail trade. (2/03)
    - 1. Building materials, hardware, retail nurseries, and garden supply (52), but excluding mobile home dealers (527). (2/03)
    - 2. General merchandise stores (53). (2/03)
    - 3. Food stores (54). (2/03)
    - 4. Apparel and accessory stores (56). (2/03)
    - 5. Home furniture, furnishings, and equipment stores (57). (2/03)
    - 6. Eating and drinking places (58). (2/03)
    - 7. Miscellaneous retail (59), but excluding fuel and ice dealers (598). (2/03)
    - 8. Electrical and lighting shops and office machines and equipment stores. (2/03)
  - J. Business, professional and social services. (2/03)
    - 1. Finance, insurance and real estate (60, 61, 62, 63, 64, 65, 67). (2/03)
    - 2. Hotels, motels and tourist courts (701). (2/03)
    - 3. Organization hotels and lodging houses on membership basis (704). (2/03)
    - 4. Personal services (72), but excluding industrial launderers (7218). (2/03)
    - 5. Business services (73), but excluding disinfecting and exterminating services (7342). (2/03)
    - 6. Parking lots in accordance with section 2.303.04 of this ordinance (7521). (2/03)
    - 7. Miscellaneous repair services (76). (2/03)
    - 8. Motion pictures (78), but excluding drive-ins (7838). (2/03)
    - 9. Amusement and recreation (79), but excluding golf courses (7992) and amusement parks (7996). (2/03)
    - 10. Health services (80), but excluding hospitals (806). (2/03)
    - 11. Legal services (81). (2/03)
    - 12. Elementary and secondary schools (8211). (2/03)
    - 13. Correspondence schools and vocational schools (824). (2/03)
    - 14. Schools and educational services not elsewhere classified (829). (2/03)
    - 15. Social services (83). (2/03)
    - 16. Museums, art galleries, botanical and zoological gardens (84). (2/03)
    - 17. Membership organizations (86). (2/03)
    - 18. Miscellaneous services (89). (2/03)
  - K. Public administration (91—97). (2/03)

**Sec. 2.119.07. Special permitted commercial uses.**

The following uses, when developed under the applicable development standards in the ordinance and special development requirements, are permitted in the EG zone: (2/03)

- 
- A. Accessory structures and uses prescribed in section 2.203 are permitted when developed in conjunction with a use listed in section 2.119.05 under the applicable development standards in this zoning ordinance. (2/03)
  - B. The following special uses, subject to the applicable standards in section 2.4, and shall be considered commercial uses in the EG zone: (2/03)
    - 1. House of worship (section 2.423). (2/03)
    - 2. Veterinary services (074) (section 2.414). (2/03)
    - 3. Funeral service and crematories (726) (section 2.415). (2/03)
    - 4. Used merchandise store (section 2.417). (2/03)
    - 5. Service stations (554) (section 2.419). (2/03)
    - 6. Automobile services (75) (section 2.420), but excluding automotive rental and leasing, without drivers (751), automotive repair shops (753), automotive repair (754). (2/03)
    - 7. Commuter rail station. (2/03)
    - 8. Mobile food vendor (section 2.434). (7/17)

**Sec. 2.119.08. Conditional uses (commercial uses).**

The following uses may be permitted, subject to obtaining a conditional use permit:

- A. Transit station (section 2.429). (5/09)

**Sec. 2.119.09. Use restrictions.**

- A. The following uses are prohibited to be established in the EG zone: (2/03)
  - 1. Farm use. (2/03)
  - 2. The rendering, processing, or cleaning of animals, fish, seafood's, fowl, poultry, fruits, vegetables, or dairy products for wholesale use.
  - 3. Vehicle sales and secondary repair.
  - 4. General storage, including boat and RV storage.
  - 5. Recreational vehicle parks (7033).
  - 6. Automotive dealers (55).
  - 7. Automotive rental and leasing, without drivers (751).
  - 8. Automotive repair shops (753).
  - 9. Automotive services, except repair (754).
- B. A limitation of the total floor area of specified uses applies to all of Area A, Village Center, of the Keizer Station Plan. A maximum total floor area shall apply to the uses identified in sections 2.119.03(K) and 2.119.06(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)

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### **Sec. 2.119.10. Development standards.**

- A. *Purpose.* The Keizer Station Plan requires the development of master plans for each of the four areas. This process provides the city council with an opportunity to review development proposals in conformance with the Keizer Development Code and the adopted Keizer Station Plan. Master plans and master plan amendments for each area are required to meet the criteria identified in section 3.113 of the Code. (9/18)
- B. *Master plan required.* A master plan must be approved by the city council prior to subdivision platting or development. The master plan shall be reviewed through a Type III review process in accordance with this section. It is recognized that the applicant of the master plan for the area may not own or control all the land within the master plan boundary. The master plan shall still cover the entire EG zone. For those portions not owned or controlled by the applicant, the master plan shall focus on a cohesive interconnected system of planned public facilities and shall set general guidelines to be used throughout the master plan area. Subdivision approval shall be based upon the zone and section 3.108 as applicable. (9/18)
  - 1. The master plan or master plan amendment will be developed and considered in accordance with the requirements of the activity center overlay provisions (section 2.125 of the Keizer Development Code). Once a master plan or master plan amendment is adopted, the proposed development of each use shall be reviewed as required in section 2.315 of the Keizer Development Code during the building permit process. In the case of conflicts between the Keizer Station Plan and the Keizer Development Code, the Keizer Station Plan standards will apply. (9/18)
  - 2. The master plan shall include a detailed transportation system design plan for the EG zone. The location of transit facilities shall conform to section 2.305 of the Code. (9/18)

### **Sec. 2.119.11. Dimensional standards.**

- A. *Purpose.* The lot size standards promote new lots and parcels with sizes and shapes that are practical to assemble and develop. The standards are intended to prevent the creation of small lots or parcels, which are difficult to develop or to aggregate with other lots or parcels. The standards also discourage narrow lots or parcels, which increase demand for curb cuts. The EG zone is specifically designed for the property Contained in Area A, Village Center, in the Keizer Station Plan. Uses in the gross acreage described shall be developed as a maximum 75 percent commercial uses listed in sections 2.119.05 and .06 and a minimum 25 percent industrial uses listed in sections 2.119.03 and 04. Uses shall be established in conformity with this section and all other applicable regulations within the Keizer Development Code. Therefore, the division of such ground shall be approved to the standards in subsection 2.119.09.B below. (7/06)
- B. *Minimum lot dimension requirements.*
  - 1. Unless exempted under section (4) below, within the acreage identified for commercial uses, at least 80 percent of the area of lots or qualified abutting lots must meet Standard A stated in the table within this subsection and the remainder lots or parcels must meet Standard B. (7/06)
  - 2. Unless exempted under section (4) below, within the acreage identified for industrial uses, at least 80 percent of the area of lots or qualified abutting lots must meet Standard C stated in the table within this subsection and the remainder of the lots or parcels must meet Standard D. (7/06)
  - 3. Qualified abutting lots.
    - a. Qualified abutting lots are defined as lots or parcels having the same classification as either all industrial or all commercially designated lands, that abut one another on at least one side and where there is no plan or proposal for curb cuts that would otherwise not be allowed if each individual lot was required to meet the dimensional standards of this section. Qualified abutting lots may be considered in the aggregate as if they were a single whole lot for purposes of

determining such qualified abutting lots' compliance with the dimensional standards of this section. Qualified abutting lots may be considered in the aggregate as if they were a single whole lot for purposes of classification of such qualified abutting lots under section A, B, C, or D below. (7/06)

- b. In the absence of the approval of a variance, for purposes of determining compliance with the dimensional standards below, any groups of qualified abutting lots shall consist of no more than four individual lots or parcels. (7/06)
- 4. Exempt lots, parcels or tracts. Lots, parcels or tracts created only for the purposes of providing a right-of-way or dedicated utilities, public drainage facilities or open space are exempt from the lot size and shape standards of this section. Lots, parcels, or tracts that are less than one acre in size, the perimeter of which is 80 percent or more surrounded by existing public rights of way or land that has previously been dedicated to the public for public access purposes are exempt from the classification standards and dimensional standards in the chart in the section that immediately follows. (7/06)

<i>Development Type</i>	<i>Lot or Qualified Abutting Lots Standard</i>	<i>Minimum Lot or Qualified Abutting Lots Area</i>	<i>Minimum Average Width of individual Lot or of Qualified Abutting Lots*</i>	<i>Minimum Average Depth of individual Lots or of Qualified Abutting Lots*</i>
Commercial (2.119.05 & .06)	Standard A	20,000 sq. ft.	100 ft.	100 ft.
	Standard B	10,000 sq. ft.	75 ft.	75 ft.
Industrial (2.119.03 & .04)	Standard C	3 acres	350 ft.	350 ft.
	Standard D	1 acre	150 ft.	150 ft.

\*Note: by definition, qualified abutting lots are lots or parcels of the same use type designation, either commercial or industrial, that may be considered as if they are single lot or parcel for purposes of determining compliance with applicable dimensional standards and to determine classification as Standard A—D under this chart. (7/06)

**Sec. 2.119.12. Development standards.**

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

<i>Development Type</i>	<i>Building Standards</i>		<i>Building Setbacks</i>			<i>Minimum Landscaping</i>	
	<i>Maximum Height</i>	<i>Maximum Lot or Parcel Coverage</i>	<i>Street Side</i>		<i>Side/Rear Not Adjacent to Residential zone</i>	<i>Adjacent to Residential zone</i>	<i>Percentage of Lot or Parcel Area</i>
			<i>Min</i>	<i>Max</i>			
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	80% (2)	10 ft.	None	None	40 ft.	20% (5)(6)

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

- a. 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.
- b. 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.
- c. 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.*

- a. *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)
- b. *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. (7/25)

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

(Ord. No. 2025-895, § 1(exh. A), 7-7-2025)

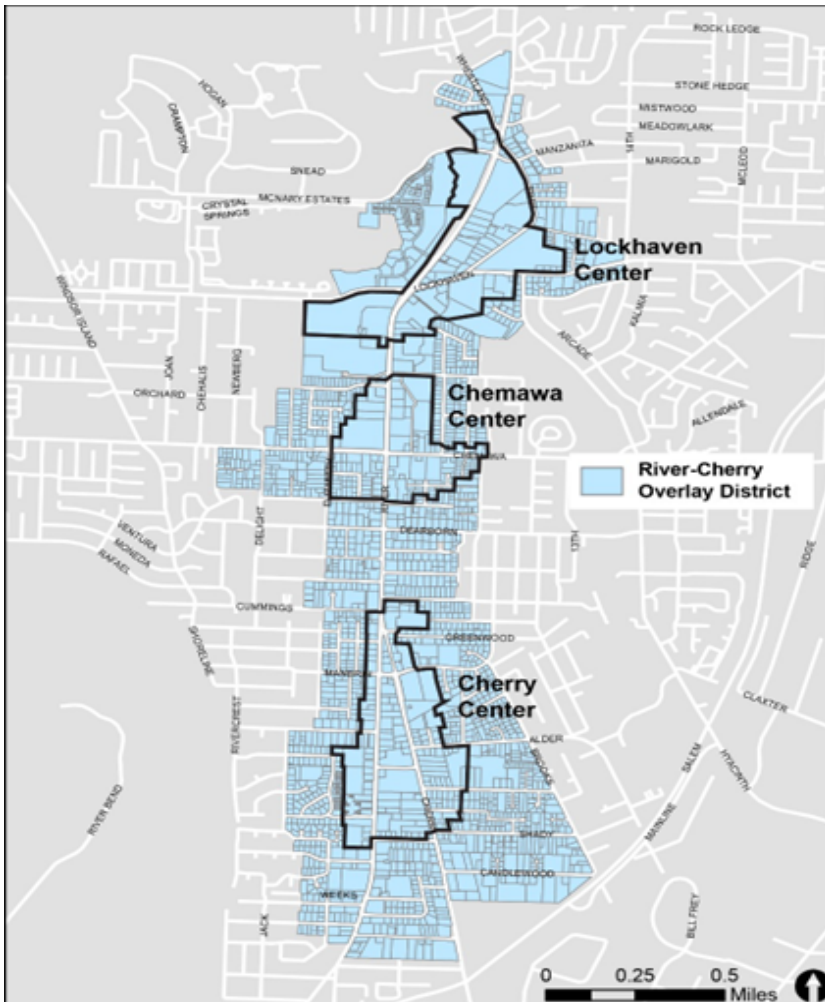
## 2.130 RIVER-CHERRY OVERLAY DISTRICT (RCOD)

### Sec. 2.130.01. Purpose.

The purpose of the River-Cherry Overlay District (RCOD) is to implement the land use principles of the Keizer Revitalization Plan, dated November 18, 2019. The RCOD is intended to promote efficient use of land and urban services; create a mixture of land uses that encourages employment and housing options in close proximity to one another; and encourage pedestrian-oriented development. This zone is intended to be accessible to pedestrians and bicyclists, as well as people using automobiles. (12/19)

### Sec. 2.130.02. Boundaries of the River-Cherry Overlay District.

The boundaries of the RCOD, and boundaries of the three centers subdistricts, are shown in Figure 2.130.02-1. (12/19)



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### **Sec. 2.130.03. Applicability.**

- A. The provisions of this section shall apply to all lands located within the boundaries of the RCOD illustrated in Figure 2.130.02-1. The three centers subdistricts of the RCOD are illustrated in Figure 2.130.02-1 and are established as follows: (12/19)
1. *Lockhaven Center.* Extends from approximately McNary Heights Drive N at the north to Rose Park Lane NE at the south; and from approximately Lakefair Place N at the west to Crestwood Court NE at the east. The intersection of River Road N and Lockhaven Drive N is intended to be the center of activity within Lockhaven Center. (12/19)
  2. *Chemawa Center.* Extends from approximately Claggett Street NE at the north to James Street NE at the south; and from approximately Elizabeth Street N at the west to Bailey Road NE at the east. The intersection of River Road N and Chemawa Road N is intended to be the center of activity within Chemawa Center. (12/19)
  3. *Cherry Center.* Extends from approximately Dietz Avenue NE at the north to Bever Drive NE at the south; and from approximately 3rd Avenue N at the west to Partridge Lane NE at the east. The intersection of River Road N and Cherry Avenue NE and Sam Orcutt Way is intended to be the center of activity within Cherry Center. (12/19)
- B. The provisions of the RCOD shall apply as follows:
1. They shall apply to all new construction or major renovation, where major renovation is defined as construction valued at 25 percent or more of the assessed value of the existing structure and parcel of land on which it is located, unless otherwise specified by the provisions in this section, and with the following exceptions. (12/19)
    - a. Interior remodels which do not change the exterior of the building or increase its floor area or building footprint. (12/19)
    - b. Replacement of equipment needed to operate an existing use, such as, but not limited to, commercial kitchen equipment, HVAC equipment, plumbing or electrical fixtures. (12/19)
    - c. Maintenance required to maintain the structural integrity of the building, such as, but not limited to, replacement of a roof. (12/19)
  2. Applications for new construction or major renovation in the RCOD are subject to city review as provided in KDC section 3.101, and to the standards and guidelines in sections 2.130.04 through 2.130.10. (12/19)
- C. The RCOD replaces selected development standards in the underlying zoning districts, as set forth in section 2.130.05. (12/19)

### **Sec. 2.130.04. Uses.**

- A. Permitted uses.
1. The uses in Table 2.130.04-1 are permitted in the Mixed Use (MU) Zone within the RCOD. All other zones remain unchanged. (12/19)
  2. Uses that are identified as permitted in the MU zone (section 2.107.02 through 2.107.04) are permitted in the MU zone within the RCOD, excluding commercial parking lots that are surface lots. (12/19)

3. Uses that are not listed in Table 2.130.04-1 and that the zoning administrator determines to be similar to the uses in Table 2.130.04-1 or consistent with the RCOD purpose statement (section 2.130.01) are permitted. (12/19)

Table 2.130.04-1: Uses Permitted in the RCOD (6/23)

P = Permitted outright

S = Permitted subject to special use provisions

C = Permitted conditionally

<i>Use Category</i>	<i>Permitted</i>	<i>Notes</i>
<b>Residential</b>		
Household living	P/S	Such as buildings with one or more dwelling units Special use provisions apply to accessory dwelling units (sections 2.403 and 2.130.05.C), cottage clusters (section 2.432), and home occupations (section 2.407)
Group living	P/S	Such as residential homes and facilities Special use provisions apply to nursing and personal care facilities (section 2.431)
<b>Commercial</b>		
Commercial lodging	P/S	Such as hotels and motels Special use provisions apply to bed and breakfast establishments (section 2.408)
Commercial recreation and entertainment	P	Such as athletic clubs and movie theaters
Commercial parking	P	Only parking structures
<del>Day care facility</del> <del>Child Care Centers</del>	P	
Durable goods sales	P	Such as home improvement, home furnishing, and appliance stores
Eating and drinking establishments	P	
Health care offices	P	
Marijuana facilities	S	Such as medical marijuana facilities and marijuana retailers Special use provisions apply (section 2.433)
Offices	P/S	Such as finance, legal, and other professional businesses Special use provisions apply to veterinary services (section 2.414)
Retail sales and services	P/S	Such as food, apparel, hardware, and auto supply stores Special use provisions apply to used merchandise stores (section 2.417), mobile food vendors (section 2.434), funeral

		services (section 2.415), and adult entertainment businesses (section 2.418) Additional development standards apply to auto-oriented sales and services in RCOD centers (section 2.130.09(B)(4))
Quick vehicle servicing	C	Such as gasoline service stations Service stations consistent with section 2.110.04.C are conditional uses Additional development standards apply to auto-oriented services in RCOD centers (section 2.130.09(B)(4))
<b>Industrial</b>		
Light manufacturing	C	Craft industries are conditional uses subject to the provisions in section 2.421
<b>Institutional</b>		
Assembly facilities	P/S	Such as social and civic organizations Special use provisions apply to places of worship (section 2.423)
Community services	P	Such as public administration buildings
Educational and research facilities	P	Such as schools, vocational schools, educational services, and laboratories
Medical centers	P	Such as clusters of health care offices, surgicenters or day surgery facilities (not a hospital)
<b>Infrastructure/utilities</b>		
Parks and open space	P	Such as parks, plazas, playgrounds, and community clubs
Public safety facilities	P/C	Such as police stations Fire and ambulance stations are conditional uses subject to general conditional use criteria in section 3.103.03
Public utility structures	P/S	Such as substations Special use provisions apply to electrical substation (section 2.426)
Transportation facilities	S/C	Special use provisions apply to transit facilities (stops) (section 2.305) Transit stations (centers) are conditional uses subject to the provisions in section 2.429
Wireless communications facilities	S	Special use provisions apply (section 2.427)

B. *Prohibited uses.* The following uses are prohibited in the Mixed Use Zone of the RCOD. This prohibition does not apply to any legally established use as of the date of the adoption of this ordinance. (12/19)

1. Farm uses. (12/19)
2. Rendering, processing, and/or cleaning of food products for wholesale use. (12/19)

3. Outdoor storage or display whose impacts are not mitigated for consistent with section 2.107.05.B.7. (12/19)
4. Camping and overnight parking in parking lots. (12/19)
5. Hospitals, but not including surgicenters and day surgery facilities. (12/19)

**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

<i>Zone</i>	<i>Dimension</i>	<i>Townhouse</i>	<i>Single-Family Detached &amp; Duplex</i>	<i>Triplex</i>	<i>Quadplex &amp; Cottage Cluster</i>	<i>Multifamily</i>
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

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

(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

<i>Zone</i>	<i>Minimum Density (1)</i>	<i>Maximum Density (1)</i>
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. This section shall apply to new development or redevelopment in the RCOD, as defined in section 2.130.03. (7/25)
- ii. A change in the use of a building or structure from one permitted use to another permitted use shall not require additional parking. (7/25)

- b. *Off-street automobile parking requirements(12/19).* Off-street parking, when provided, shall not be provided in the amount more than the maximum amounts listed below. (7/25)

Table 2.130.05-4: Maximum Off-Street Parking Requirements (7/25)

<i>Land Use Activity</i>	<i>Spaces Required</i>
Recreation facility	Maximum: 1 space per 133 sq. ft.
Personal services	Maximum: 1 space per 233 sq. ft.

Retail	Maximum: 1 space per 200 sq. ft.	
Eating/drinking establishment	Maximum: 1 space per 83 sq. ft.	
Single-family, duplex, triplex, quadplex, townhouse, cottage cluster	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)	Maximum: 3 per dwelling unit	
Multifamily types	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

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 parking is required for the accessory housing unit. Existing parking for the primary residence must be maintained or replaced on-site following development of accessory housing units. (7/25)

(Ord. No. 2025-895, § 1(exh. A), 7-7-2025)

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## Sec. 2.130.06. Landscaping standards.

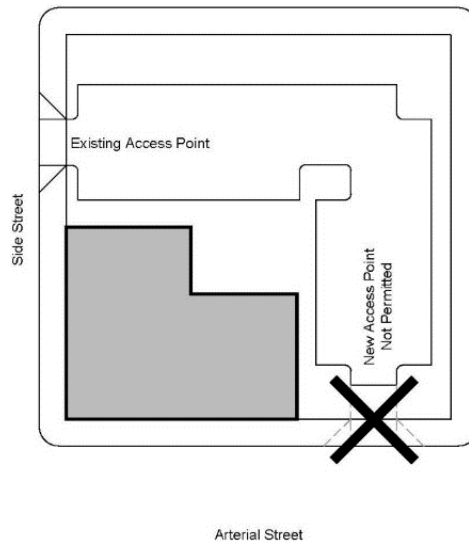
The following subsections indicate landscaping standards required in the RCOD. These standards supplement, and in some cases replace, the landscaping standards in KDC section 2.309. Where the standards set forth in this section conflict with standards section 2.309, the RCOD development standards set forth in this section shall control. (12/19)

- A. *Purpose.* The purpose of the landscaping standards in this section is to provide enhanced landscape design for sites within the RCOD, in order to create attractive street frontages that enhance the appearance of the district and provide a pleasant experience for pedestrians. The purpose is also to balance the reduced requirements for minimum landscaped area in the district, per section 2.130.05.B.1. Landscaping standards in the RS zone remain unchanged. (12/19)
- B. *Landscape standards.*
  - 1. All front yards and all side yards abutting a street either shall be landscaped according to the following standards or shall be occupied by pedestrian amenities (e.g., plaza, outdoor seating, outdoor eating areas): (12/19)
    - a. All street-facing façades shall have landscaping along their foundation. (12/19)
    - b. The landscaped area shall be at least three feet wide. (12/19)
    - c. An evergreen shrub meeting the planting standards of section 2.309.06.H shall be planted for every three linear feet of foundation. (12/19)
    - d. Where landscaped areas in front yards and in side yards abutting a street are a minimum of ten feet wide, trees shall be planted for every 30 linear feet of building foundation. (12/19)
    - e. Ground cover meeting the planting standards of section 2.309.06.I shall be planted in the remainder of the landscaped area. (12/19)
    - f. Plants approved by the zoning administrator or on city-approved lists shall be used. (12/19)
    - g. Exceptions. These standards do not apply to properties with front yard setbacks that are less than ten feet. (12/19)
  - 2. The following planting standards shall apply to all required landscape areas, except for front yards or side yards abutting a street, as provided in subsection 1: (12/19)
    - a. Trees. A minimum of one tree shall be planted for every 500 square feet of required landscape area. Evergreen trees shall have a minimum height of six feet and deciduous trees shall have a minimum caliper of two inches and a minimum height of eight feet at the time of planting. (12/19)
    - b. Shrubs. One evergreen shrub having a minimum mature height of four feet shall be provided for every 75 square feet of required landscape area. (12/19)
    - c. Ground cover. Ground cover meeting the standards of section 2.309.06.I shall be planted in the landscaped area not occupied by required trees or shrubs. (12/19)
    - d. Plants approved by the zoning administrator or on city-approved lists shall be used. (12/19)
    - e. Rock, bark, or similar landscape cover materials may be used for up to 25 percent of the required landscape area. Hardscape treatments may be substituted upon approval of the zoning administrator. (12/19)

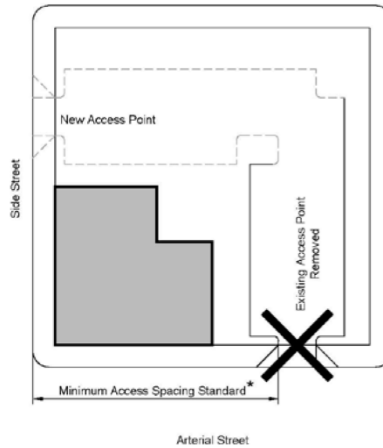
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**Sec. 2.130.07. Access standards.**

- A. *Purpose.* The purpose of managing access points onto public streets, especially onto collectors and arterials, is to reduce conflicts between users of the transportation system, to increase safety, to aid in the flow and mobility of traffic by all modes, and to create a more welcoming pedestrian environment. (12/19)
- B. *Applicability.* In addition to the general applicability standards established in 2.130.03(B), the provisions of this section shall apply to development when a site's number of parking spaces will increase by more than 15 percent of the existing number of parking spaces or more than 20 percent of a site's existing parking area will be reconstructed. (12/19)
- C. *Access standards.* Street functional classifications and spacing standards referred to in the following provisions are established in the currently adopted City of Keizer Transportation System Plan. (12/19)
  - 1. *Standard A.* A property fronts an arterial and a side street, which is not classified as an arterial, and has its existing access point on the side street. The access point on the side street shall be maintained and a new access point on the arterial is not permitted. (12/19)

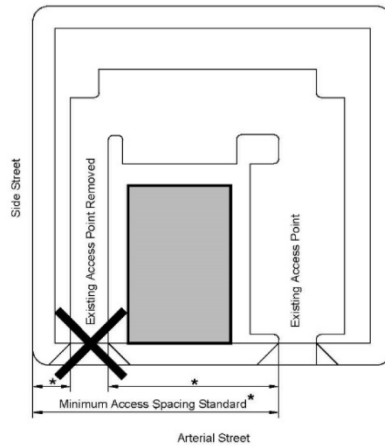


- 2. *Standard B.* A property has a single existing access point on an arterial street and also fronts a side street that is not an arterial or an alley. If the existing access point has substandard spacing from the nearest intersection or driveway, the existing access point shall be closed and a new access point on the side street shall be established. (12/19)



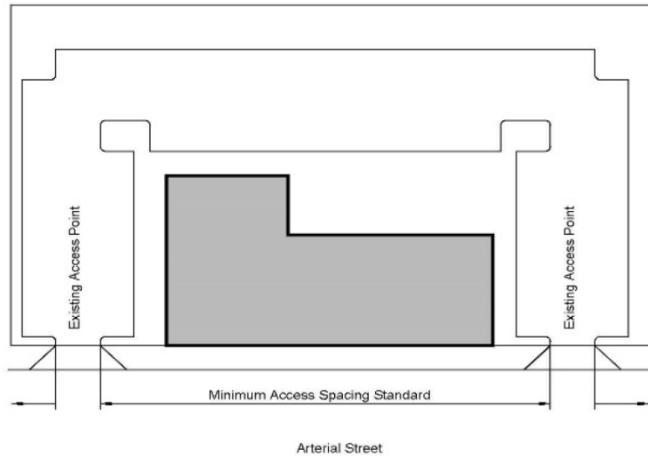
\* Substandard spacing could potentially exist:  
 1) Between access points (driveways) on a site and street intersections.  
 2) Between access points (driveways) on a site and access points (driveways) on neighboring sites.

3. *Standard C.* A property has two or more existing access points on an arterial. All access points with substandard spacing shall be closed, while a minimum of one access point may be maintained. If all existing access points have substandard spacing from the nearest intersection or driveway, the access point with spacing that is closest to meeting spacing standards shall be maintained. (12/19)



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

4. *Standard D.* A property has one or more access points on an arterial and all access points have sufficient spacing from the nearest intersection or driveway. The access points may be maintained. (12/19)



5. *Exceptions.* Where there are safety or traffic operations issues identified in a traffic impact analysis prepared consistent with section 2.301.04, which are the result of substandard access spacing, the public works director may require one or more of the following: (12/19)
  - a. A limit on the number, location, and/or turning movements of existing and new proposed connections to a city street. (12/19)
  - b. A driveway to extend to one or more edges of a parcel to allow for future extension and inter-parcel circulation as adjacent properties develop. (12/19)
  - c. A recorded access easement for future joint use of the approach and driveway as the adjacent property(ies) develop(s). (12/19)

**Sec. 2.130.08. Master plans in Lockhaven Center.**

Development within the Lockhaven Center may be subject to master plan approval as provided in section 3.114 and this section 2.130.(12/19)

**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

Zone	Front Setbacks	Multifamily	Commercial or Mixed Use
MU	Minimum	0 feet/6 feet (1)	0 feet/6 feet (1)
	Maximum	10 feet (2)	10 feet (2)

RM	Minimum	5 feet (3)	N/A
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- (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. Standards for auto-oriented uses and development.** (12/19)

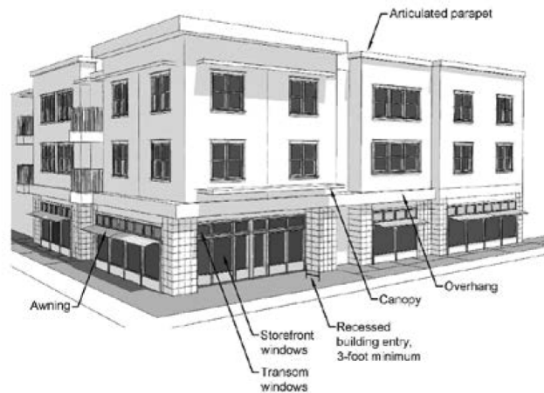
- a. *Applicability.* The standards of this subsection apply to auto-oriented uses and development on properties fronting River Road, Lockhaven Drive, Chemawa Road, and Cherry Avenue within centers. For the purposes of this subsection, "auto-oriented uses and development" refers to the following uses: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

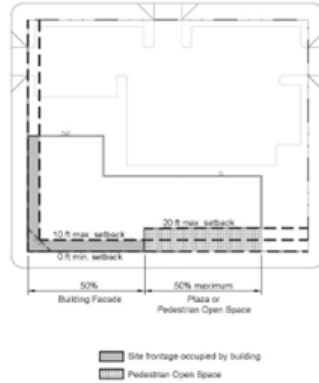
(Ord. No. 2025-895, § 1(exh. A), 7-7-2025)

### **Sec. 2.130.10. Urban design standards in centers.**

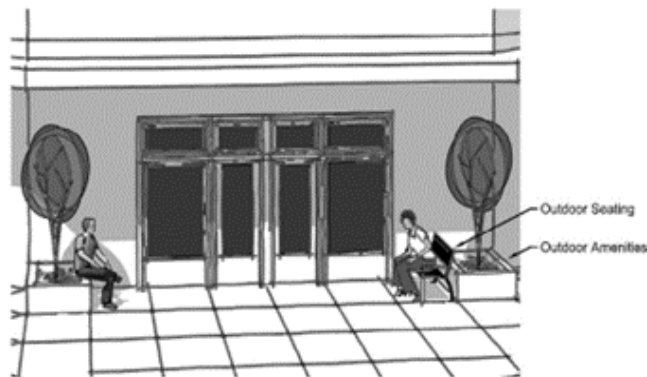
- A. *Purpose.* The purpose of the urban design standards for centers is to create pedestrian-oriented places that serve as the centers of commercial and civic activity and as destinations for residents and visitors in the River Road/Cherry Avenue Corridor. Pedestrian-oriented places provide visual interest at eye level, feel safe and comfortable for people walking, contain a variety of activities and services, are easy to navigate on foot, and provide open areas and amenities for gathering and resting. The regulations for centers modify the regulations of the overall River-Cherry Overlay District and of the underlying base zones to ensure pedestrian-oriented land uses and design. (12/19)
- B. *Applicability.* The following standards apply to multifamily, mixed use, and nonresidential development on properties, except as noted below. Some standards only apply to properties fronting on River Road, Lockhaven Drive, Chemawa Road, and Cherry Avenue, as provided in each applicable subsection below. Outside of the centers in the RCOD, section 2.315 applies. (12/19)
- C. *Building entry orientation and design.* The following building entry orientation and design standards apply to development on properties fronting on River Road, Lockhaven Drive, Chemawa Road, and Cherry Avenue. (12/19)
1. *Orientation.* (12/19)
    - a. All buildings shall have at least one primary entrance facing the street, where facing means positioned at an angle of 45 degrees or less. (12/19)
    - b. For the purposes of this section, the primary building entrance is the main public entrance to the building. In the case where no public entrance exists, the primary building entrance is the main employee or resident entrance. Where there are multiple buildings on a lot, all buildings shall comply with this standard. (12/19)
  2. *Walkway.* All primary entrances to a building must be connected to the sidewalk by a direct and continuous walkway. A direct walkway follows a route that does not deviate unnecessarily from a straight line and it does not involve a significant amount of out-of-direction travel. Walkway materials and dimensions shall be consistent with pedestrian circulation standards in section 2.315.06.A. (12/19)
  3. *Entry design.* (12/19)



- a. Primary building entrances shall provide weather protection for pedestrians and must be architecturally emphasized, subject to the following standards: (12/19)
  - i. Nonresidential and mixed use buildings must comply with at least two of the following: (12/19)
    - a) Recessed entrances. If recessed, primary entrances shall be recessed a minimum of three feet into the building façade. (12/19)
    - b) Awnings, canopies, or overhangs. These may be used to provide weather protection and a visual element and meet height, projection, and materials standards in sections 2.312 and 2.315. Awnings and canopies must also meet the standards of section 2.130.10.L.4. (12/19)
    - c) Architectural features. Primary entrances may be reinforced with architectural features such as increased heights of entrance areas and doors, articulated parapets, transom windows above the doors, sidelights beside the doors, and/or windows (glass) in the doors. (12/19)
    - d) Decorative features. Entries may be reinforced through the use of decorative exterior light fixtures (i.e., wall sconces) or other decorative features. (12/19)
    - e) Columns, piers, or pilasters that extend at least six inches from the building may be used to frame and highlight entrances. (12/19)
  - ii. Multifamily residential buildings must provide weather protection over the primary building entrance and over entrances to all ground floor units. Weather protection may be provided using awnings, canopies, building overhangs such as eaves extending over front doors, covered front porches, or inset front doors. Awnings, canopies, and overhangs are subject to height, projection, and materials standards in sections 2.312 and 2.315. (12/19)
- D. *Corner entrances and features.* Nonresidential and mixed use buildings on corner lots are encouraged to have corner entrances. Where a corner entrance is not provided, the building design shall provide an architectural element or detailing (e.g., tower, beveled/chamfered corner, art, special trim). (12/19)
- E. *Pedestrian open space.*
  - 1. Pursuant to section 2.130.09.A.1, the maximum setback for properties fronting on River Road, Lockhaven Drive, Chemawa Road, and Cherry Avenue 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. (12/19)



2. The pedestrian open space must include at least one type of outdoor seating from the list in subsection a below, and a total of at least two pedestrian amenities from the lists in subsections a or b. (12/19)
  - a. Outdoor seating: benches, tables and chairs, or seat walls. (12/19)
  - b. Other amenities: fountains, drinking fountains, landscape planters, bollards, shade structures, or public art. (12/19)



3. Pedestrian open space shall not be entirely paved and shall include pedestrian amenities as listed in subsection 2 above. (12/19)

F. *Parking location.*

1. Parking or vehicle circulation areas shall not be located within a required front yard setback or within a required side yard setback abutting River Road, Lockhaven Drive, Chemawa Road, or Cherry Avenue. (12/19)
2. Parking or vehicle circulation areas shall be limited to 50 percent of the street frontage abutting River Road, Lockhaven Drive, Chemawa Road, or Cherry Avenue. (12/19)

G. *Parking perimeter landscaping.*

1. Where surface parking or vehicular circulation areas are located adjacent to the right-of-way, perimeter landscaping with a minimum width of five feet and a minimum height of 2.5 feet shall be provided. Perimeter landscaping shall include trees spaced not more than 30 feet on center and shall include a mix of shrubs and ground cover and/or a landscaped swale for stormwater management. (12/19)
2. The buffering and screening requirements for parking areas in KDC section 2.309.05.A.5 shall not apply within centers, except for parking areas abutting residential zones. (12/19)

H. *Window coverage.* Window coverage standards apply to building façades facing River Road, Lockhaven Drive, Chemawa Road, and Cherry Avenue. (12/19)

1. Nonresidential or mixed use buildings are subject to the following standards: (12/19)

- a. *Ground floor windows.* A minimum of 50 percent of the ground floor wall area of nonresidential or mixed-use buildings shall contain windows, display areas, or doorway openings. Windows, display areas, or doorway openings used to meet this standard shall comply with the following provisions: (12/19)
  - i. Required window areas shall be either windows that allow views into working areas or lobbies, pedestrian entrances, or display windows. (12/19)
  - ii. Windows used to meet this standard shall have a visible transmittance (VT) of 0.6 or higher. (12/19)
  - iii. The sill or lower edge of a window, display area, or doorway used to meet this standard shall be no more than four feet above grade. Where interior floor levels prohibit such placement, the sill or lower edge must be raised to allow it to be no more than two feet above the finished floor level, up to a maximum height of six feet above grade. (12/19)
- b. *Upper floor windows.* For buildings with more than one story, a minimum of 20 percent of the upper floor wall area of nonresidential or mixed-use buildings shall contain windows. (12/19)



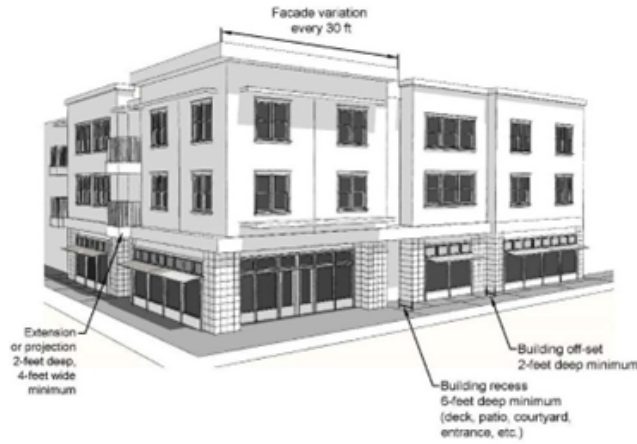
2. Multifamily residential buildings are subject to the following standards: (12/19)

- a. *Ground floor windows.* A minimum of 25 percent of the ground floor wall area of multifamily residential buildings shall contain windows. (12/19)
- b. *Upper floor windows.* A minimum of 20 percent of the upper floor wall area of multifamily residential buildings shall contain windows. (12/19)



Total ground floor window + door area = 255 sq. ft.  
 Total overall ground floor area = 1,000 sq. ft.  
 Glazing provided along 25% of overall ground floor area.

3. For all building façades subject to the window coverage standards of this section, ground floor walls shall include all exterior wall areas up to ten feet above the finished grade of the entire width of the street-facing elevation. Upper floor wall area shall include all exterior wall areas above ten feet above the finished grade. (12/19)
- I. *Façade variation and detailing.* The following standards apply to building façades facing River Road, Lockhaven Drive, Chemawa Road, and Cherry Avenue. (12/19)
1. Façades shall avoid large expanses of uninterrupted building surfaces in areas which are visible to the public by incorporating features listed in I.2 below to vary the look of the façade at intervals not to exceed 30 feet. (12/19)
  2. Each façade subject to this standard shall provide at least two of the following features in order to meet the façade variation and detailing standard: (12/19)
    - a. Variation in building materials between primary materials and trim materials established in section 2.315.06.B.4, where at least 65 percent of each building façade consists of primary materials; (12/19)
    - b. Building offset of at least two feet; (12/19)
    - c. Recess (e.g., deck, patio, courtyard, entrance or similar feature) that has a minimum depth of six feet; (12/19)
    - d. Extension or projection (e.g., floor area, deck, patio, porch, roof over a porch, entrance, or similar feature) that projects a minimum of two feet and runs horizontally for a minimum length of four feet; (12/19)
    - e. Other similar façade variations approved by the zoning administrator. (12/19)

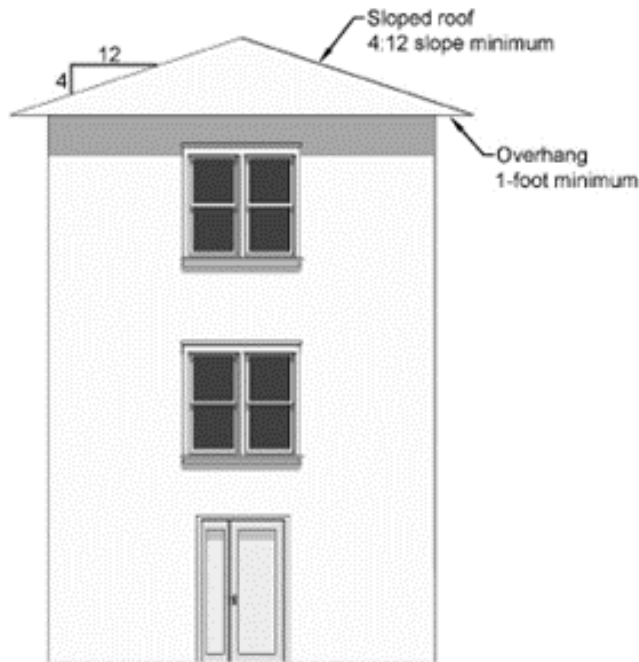


J. *Roof forms.* The following standards apply to building façades facing River Road, Lockhaven Drive, Chemawa Road, and Cherry Avenue. Roof forms may be flat or sloped. Requirements for chosen roof forms are as follows: (12/19)

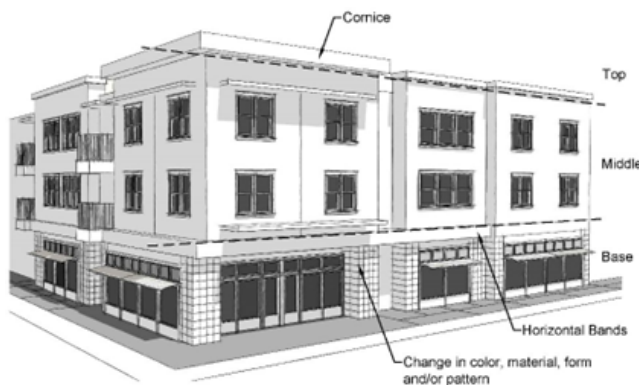
1. Flat roofs. All flat roofs shall employ a detailed, projecting cornice or projecting parapet to visually cap the building and meet all of the following requirements: (12/19)
  - a. Cornices shall project horizontally a maximum of three feet. (12/19)
  - b. Parapets must be a minimum of 24 inches in height. Parapets must include a cornice, molding, trim, or variations in brick coursing. (12/19)
  - c. Cornices and parapets shall wrap around all sides of the building visible from any adjacent street or parking area. (12/19)



2. Sloped roofs must meet all of the following requirements: (12/19)
  - a. All sloped roofs shall provide a minimum one-foot overhang. (12/19)
  - b. All sloped roofs must have a minimum slope of 4:12. (12/19)

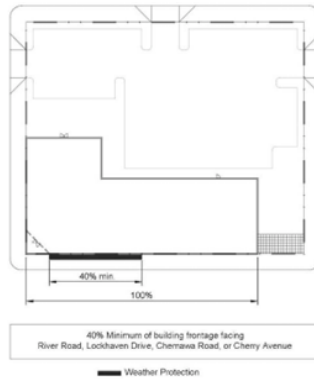


- K. *Base, middle, and top of building.* The following standards apply to building façades of nonresidential and mixed use buildings facing River Road, Lockhaven Drive, Chemawa Road, and Cherry Avenue: (12/19)
1. All buildings with two stories or more shall have a clear and distinct base, middle and top to break up vertical mass. (12/19)
  2. All façades subject to this standard must utilize horizontal bands and/or changes in color, material, form and/or pattern to differentiate the base, middle, and top of the building, subject to the following requirements: (12/19)
    - a. Horizontal bands or other changes in pattern or material shall be a minimum of eight inches high (the length of a standard brick) and must project a minimum of three-fourths inch from the building face. (12/19)
    - b. Changes in building massing and form may also be used to differentiate a building's base, middle, and top. This may include architectural setbacks or projections, measuring a minimum of three inches. (12/19)



- L. *Weather protection for nonresidential or mixed use buildings.* Weather protection for pedestrians shall be provided along a minimum of 40 percent of a building frontage facing River Road, Lockhaven Drive,

Chemawa Road, or Cherry Avenue, subject to the following provisions and consistent with section 2.130.10.C.3: (12/19)



1. Weather protection may be provided by awnings, canopies, arcades, colonnades, recessed entries, or combination of these elements. (12/19)
  2. Vertical clearance from the weather protection element to the sidewalk must be between nine to 12 feet. (12/19)
  3. Recessed entries must be recessed a minimum of four feet from the building façade. (12/19)
  4. Awnings and canopies shall project a minimum of five feet from the building façade, or a minimum of four feet for a recessed building entry, and shall be constructed of canvas, acrylic fabric, laminated vinyl, metal or similar standard material. Awnings and canopies of corrugated fiberglass or polycarbonate roofing shall be prohibited. Awnings and canopies shall not be back lit. (12/19)
- M. *Building materials.* Buildings shall be subject to the materials and texture standards of section 2.315.06.B.4, as modified by the following requirements: (12/19)
1. The following exterior materials or finishes are prohibited within designated Centers: (12/19)
    - a. Vinyl siding. (12/19)
    - b. T-111 or similar sheet materials. (12/19)
    - c. Plain concrete block (not including split faced, colored, or other block designs that mimic stone, brick, or other masonry); foundation material may be skim-coated concrete block where the foundation material is not revealed for more than three feet. (12/19)
  2. Each building façade facing River Road, Lockhaven Drive, Chemawa Road, and Cherry Avenue shall include a minimum of two types of exterior materials, each with an area of at least 20 percent of the façade. Brick or masonry (except CMU) may be used singly and applied to the entirety of the façade. (12/19)
- N. *Screening of mechanical equipment.* (12/19)
1. *Building walls.* (12/19)
    - a. Where mechanical equipment, such as utility vaults, air compressors, generators, antennae, satellite dishes, or similar equipment, is permitted on a building wall that abuts a public right-of-way, it shall be screened from view by a sight-obscuring fence, wall, landscape screen, or combination of screening methods. (12/19)

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- b. Standpipes, meters, vaults, and similar equipment need not be screened but such equipment shall be placed on a side or rear building elevation except where the applicant can demonstrate that such locations are not physically or financially feasible. (12/19)
  2. *Rooftop mechanical equipment.* Rooftop mechanical units shall be set back or screened behind a parapet wall so that they are not visible from any public right-of-way. Where the applicant demonstrates that such placement and screening is not physically or financially feasible, the zoning administrator may approve painting of mechanical units in lieu of screening; such painting may consist of muted, earth-tone colors that make the equipment visually subordinate to the building and adjacent buildings, if any. Solar panels are exempt from this standard. (12/19)
  3. *Ground-mounted mechanical equipment.* Ground-mounted equipment, such as generators, air compressors, trash compactors, and similar equipment, shall be limited to side or rear yards and screened with fences or walls constructed of materials similar to those on adjacent buildings. Hedges, trellises, and similar plantings may also be used as screens where there is adequate air circulation and sunlight, and irrigation is provided. (12/19)

**Sec. 3.101.04. Type IV actions—Summary.**

A Type IV action is a legislative review in which the city considers and enacts or amends laws and policies. A Type IV action follows the procedures found in section 3.203. Private parties cannot apply for a Type IV action; it must be initiated by city staff, planning commission, or city council. Public notice and hearings are provided in a Type IV process. The following actions are processed under a Type IV procedure: (2/01)

- A. Text amendments to the comprehensive plan. (5/98)
- B. Text amendments to the development code. (5/98)
- C. Enactment of new comprehensive plan or development code text. (5/98)
- D. Comprehensive plan map amendments (involving more than five adjacent land ownerships or non-adjacent properties). (5/98)
- E. Zone changes (involving more than five adjacent land ownerships or non-adjacent properties). (5/98)

**LAND USE APPLICATION PROCESS (6/22)**

<i>Land Use Action</i>	<i>Type</i>	<i>Staff</i>	<i>Hearings Officer</i>	<i>Planning Commission</i>	<i>City Council</i>
Signs, temporary use (3/10)	I-A	Final decision	Appeal of staff decision		Appeal of H.O. decision
Floodplain development permit (including floodplain development permit variances) (3/10)	I-B	Final decision	Appeal of staff decision		Appeal of H.O. decision
Greenway development permit (2/01)	I-B	Final decision	Appeal of staff decision		Appeal of H.O. decision
Conditional use (signs) (5/09)	I-B	Final decision	Appeal of staff decision		Appeal of H.O. decision
Variance (signs)	I-B	Final decision	Appeal of staff decision		Appeal of H.O. decision
Property line adjustment	I-B	Final decision	Appeal of staff decision		Appeal of H.O. decision
Partition	I-B	Final decision	Appeal of staff decision		Appeal of H.O. decision

Development review (2/01)	I-C	Final decision		Appeal of staff decision	Appeal of planning commission decision
Alternative design review for detached accessory dwelling unit (front yard) (1/19)	I-C	<del>Recommendation to planning commission</del> <u>Final Decision</u>		<del>Final decision</del> <u>Appeal of staff decision</u>	Appeal of planning commission decision
Subdivision	II	Recommendation to hearings officer	Final decision		Appeal of H.O. decision
Planned unit development	II	Recommendation to hearings officer	Final decision		Appeal of H.O. decision
Manufactured home park	II	Recommendation to hearings officer	Final decision		Appeal of H.O. decision
Transit station (5/09)	II-B	Recommendation to city council			Final decision
Designation or removal of a historic resource (9/18)	II-B	Recommendation to city council			Final decision
Development standards alternative (12/18)	II-C	Recommendation to planning commission		Final decision	Appeal of planning commission decision
Development standards alternative within Keizer Station (12/18)	II-B	Recommendation to city council			Final decision
Conditional use (except transit station, greenway development permit and signs)	II-C	Recommendation to planning commission		Final decision	Appeal of planning commission decision
Variance (minor and major)	II-C	Recommendation to planning commission		Final decision	Appeal of planning

					commission decision
Nursing and residential care facilities (6/11)	II-C	Recommendation to planning commission		Final decision	Appeal of planning commission decision
Permit for demolition, modification, or moving of a Historic Resource (9/18)	II-C	Recommendation to planning commission		Final decision	Appeal of planning commission decision
Comprehensive plan map amendment	III	Recommendation to hearings officer	Recommendation to city council		Final decision
Zone change	III	Recommendation to hearings officer	Recommendation to city council		Final decision
Annexation	III	Recommendation to planning commission		Recommendation to city council	Final decision
Keizer Station Master Plan/Master Plan amendment (9/18)	III	Recommendation to planning commission		Recommendation to city council	Final decision
Lockhaven Center Master Plan	III	Recommendation to planning commission		Recommendation to city council	Final decision
Text amendments; legislative zone and comprehensive plan map changes	IV	Recommendation to planning commission		Recommendation to city council	Final decision

MIDDLE HOUSING LAND DIVISION AND EXPEDITED LAND DIVISION APPLICATION PROCESS (6/22)

<i>Land Use Action</i>	<i>Type</i>	<i>Staff</i>	<i>Referee</i>	<i>Planning Commission</i>	<i>City Council</i>
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Middle housing land division (1)	N/A	Final decision	Appeal of staff decision (2)		
Expedited land division (1)	N/A	Final decision	Appeal of staff decision (2)		

(1) Per ORS 197.360, middle housing land divisions and expedited land divisions are not land use decisions or limited land use decisions under ORS 197.015 or permits under ORS 215.402 or 227.160. (6/22)

(2) ORS 197.375 establishes the requirements for appeals of middle housing land divisions and expedited land divisions. An appeal of the referee's decision is heard by the court of appeals. (6/22)

(Ord. No. 2024-878, § 2(exh. B), 7-15-2024)