PLANNING COMMISSION AGENDA
City Hall Meeting Chambers
620 SW 5th Street
Dundee, OR 97115

MEETING DATE: May 15, 2019

Meeting Time: 7:00pm

I. Call Meeting to Order.

II. Public Comment

III. Approval of Minutes
- April 3, 2019

IV. Public Hearing(s)
*LURA 18-01, City of Dundee – Riverside Zone Amendments (Continued from April 3, 2019)

V. Issues from Planning Commissioners

VI. Adjournment

The city hall meeting chambers are accessible to persons with disabilities. A request for an interpreter for the hearing impaired, or for other accommodations for persons with disabilities, should be made at least 48 hours in advance of the meeting to Melody Osborne, Administrative Assistant at 503-538-3922.

CITY OF DUNDEE

Meeting: Planning Commission Meeting

Location: City Council Meeting Chambers
620 S.W. 5th Street
Dundee, Oregon 97115

Date: April 3, 2019

Time: 7:00 p.m.

I. Meeting called to order.

Vice-Chairman Swenson called the meeting to order. Commissioners present, which consisted of quorum, were Dustin Swenson, Rebecca Minifie, Maria "Gabi" Hinoveanu, and Charlotte Ormonde. City Administrator Rob Daykin and City Planner Cheryl Caines were also present. Chairman Shannon Howland, Eugene Gilden, and Don Webb had excused absences.

Members of the audience included Kay Edwards and Rod Grinberg.

II. Public Comment

There was no public comment.

III. Approval of Minutes from Previous Meeting(s)

It was moved and seconded to approve the February 20, 2019 minutes. Motion passes, unanimously.

IV. Public Hearing

City of Dundee, LURA 18-01 – Riverside Zoning Amendments (Continued from Feb. 20, 2019)

1. Staff Report

Planner Caines entered the staff report into record. She updated the Commission and let them know that the city attorney had recommended that the city not adopt the zoning at this time due to the lack of infrastructure. Therefore, the city had to turn back to DLCD because part of the contract and grant had to do with adopting the zoning. After meeting with DLCD, they now agree with the city attorney's position. Planner Caines explained that at this time the Commission was now being asked to accept the plan and zoning, but not adopt it. At such time that infrastructure plans had been updated and a finance plan at been adopted then the city would move forward with adoption of the Riverside Code Amendments and Zoning.

There was a question about the difference between accept/adopt. Accept is agreement with language and zoning but it does not become effective. Adopt means that the Comprehensive Map and Code are officially changed. Planner Caines stated that she drafted a proposed order for the

Planning Commission that has been sent to the city attorney for review. She hoped it would be ready for a motion in May.

There was discussion regarding the infrastructure financing and water availability.

Planner Caines noted changes in the proposed code that were discussed at February's meeting. She also pointed out that she had added language for trails to the proposed code and handed out a proposed map/figure (Exhibit A) that would also be added to the code. She stated that the trails on the map were called out in the TSP and Riverside District Master Plan. CA Daykin clarified that the Figure being added that pointed out parks and trails was conceptual; that while the map in the Riverfront Master Plan showed them, the code language made it clear they were conceptual.

There were some clerical errors pointed out that needed correcting. There was then a question about the meaning of sentences under the code language for "Façade Articulation".

2. Public Testimony

Rod Grinberg spoke and relayed frustration with the unknowns happening during the process. He suggested phasing the zoning process in on the west side (of the Riverside) a little at a time so that development didn't outpace infrastructure availability. There was also discussion between Rod and CA Daykin regarding trails and surfacing.

V. Planning Issues from Commission Members.

CA Daykin talked about the Tourism Committee coming forward with recommendations for vacation rentals. He stated that they were talking about possibly restricting the growth of vacation rentals and would bring this forward to the City Council.

CA Daykin noted that the McCaw Subdivision would be moving forward. He stated that LUBA accepted the City's position and that no one had appealed the decision. CA Daykin also conveyed that the City Council wanted the clause regarding lot grade and lot size be clarified and specified in the code.

VI. Adjournment

The meeting was adjourned.

_____

Dustin Swenson, Vice Chairman

ATTEST:

_____

Melody Osborne, Planning Secretary

CITY OF DUNDEE
Planning Commission Staff Report
File No. LURA 18-01 – Riverside Zone Amendments

HEARING DATE:	May 15, 2019
APPLICANT:	City of Dundee
REQUEST:	Accept the proposed Order recommending that Dundee City Council accept the amendments to the Dundee Development Code and Dundee Zoning Map to implement the Riverside Master Plan but postpone adoption of the proposed amendments until an infrastructure finance plan is adopted for the Riverside District.

Background:

The Riverside District Master Plan area is comprised of about 360 acres in the City of Dundee, Oregon. The planning area fronts the Willamette River for over 6,000 linear feet across from Ash Island in the Chehalem Valley area of Yamhill County. The planning area is primarily undeveloped with the exception of a few single family dwellings and the wastewater treatment plant. The planning area encompasses the majority of the city's buildable land inventory. The City of Dundee initiated the master planning process in 2010 to provide a more detailed land use and transportation plan to guide coordinated development of this special area. The project was funded by a grant from the Oregon Transportation and Growth Management (TGM) Program consistent with Statewide Planning Goals that require cities to plan for future growth, including providing adequate land and facilities to meet long term (20-year) growth projections.

Dundee City Council adopted the Riverside District Master Plan (RDMP) in 2011. Adoption of the RDMP included a Comprehensive Plan text amendment for a new Riverside District designation and a Comprehensive Plan map amendment to apply the new Riverside District designation to all of the properties within the identified Plan area. The RDMP indicates that creation of the Riverside District Zone would be the joint responsibility of the property owners and the city. Dundee City Council initiated the Riverside Zone Development Code amendments in January 2016 and a consultant planner was retained by one of the property owners. At some point, the effort ceased and City Council authorized staff to seek grant funding to complete the Riverside Zone project. City staff applied for and received a grant from the Oregon Transportation and Growth Management (TGM) Program to draft code to implement the Riverside District Master Plan in 2017. These amendments are the product of that grant project.

The proposed changes amend the Dundee Development Code and zoning map to allow property owners to apply for development approval through a master plan review process. These applications will be reviewed and decided by the Dundee Planning Commission. The proposed amendments do not modify any elements of the adopted Riverside District Master Plan because the project scope only included drafting a Riverside zone to implement the RDMP. Changes to the RDMP require an amendment to the Comprehensive Plan since the Riverside District Master Plan was adopted as a supporting document into the Dundee Comprehensive Plan.

Summary of Proposed Changes (Development Code & Zoning Map):

Dundee Development Code amendments:

Chapter 17.202 – Zoning Regulations

- add descriptions of the new Riverside zoning districts
- modify existing use, development, and design standard related tables and codes to include the Riverside zones
- add a new section (17.202.080) for design standards within the Riverside Residential zone

Chapter 17.203 – Special Use Standards

- modify existing special use standards to also apply to the Riverside zones
- add a new section (17.203.260) that will apply to residential development within the Riverside mixed use zones

Chapter 17.204 – Overlay Zones

- add a new section for the Riverside District overlay (17.204.060)
- add purpose of the Riverside District overlay
- add master plan application submittal requirements and review (Planning Commission review)
- add density and housing mix requirements
- add parks standards
- address modifications to an approved master plan

Chapter 17.501 – Definitions – add definitions for new terms or to add clarity to existing terms.

Dundee Zoning Map Amendments

All land zoned A – Agricultural will be rezoned to one of the following Riverside zoning districts:

- Riverside Residential (RR)
- Riverside Destination Mixed Use (RD)
- Riverside Production (RP)
- Riverside Neighborhood Mixed Use (RN)

Public Hearing Process:

The Dundee Planning Commission has held three public hearings to consider the proposed amendments to the Dundee Development Code and Dundee Zoning Map that will implement the Riverside Master Plan adopted in 2011. These public hearings include:

- December 19, 2018 – the Dundee Planning Commission held a public hearing for the proposed Riverside code and map amendments, heard the staff report and public testimony, and continued the hearing to January 16, 2019 to consider amendments recommended by staff. These were related to Riverside Comprehensive Plan policies that were not addressed by the current draft of the code.
- January 16, 2019 – the Dundee Planning Commission continued the public hearing, heard the staff report and public testimony. The hearing was continued to February 20, 2019 in order for staff to provide additional information on discussion items such as residential only development in commercial zones and other issues raised in public testimony.

- February 20, 2019 - the Dundee Planning Commission continued the public hearing, heard the staff report and public testimony. Staff provided the additional information requested at the January 16 public hearing, outlined draft code revisions related to parks following a conversation with the City Attorney, and asked for Planning Commission direction on residential only development in commercial areas and commercial design standards. Staff also noted that additional revisions were needed based on the conversation with the City Attorney and those revisions were not yet incorporated. The hearing was continued to April 3, 2019 to consider those final revisions.
- April 3, 2019 – the Dundee Planning Commission discussed continuance of the public hearing to May 15, 2019 and heard the staff report and public testimony. Because the Planning Commission informally agreed to continue the public hearing but a formal motion was not made or passed, the May 15, 2019 public hearing was re-advertised in the Newberg Graphic. Staff reported on discussion with the City Attorney that occurred following the issuance of the staff report. These discussions centered on infrastructure and finance issues related to such infrastructure. The staff was written assuming these issues could be addressed through changes in the draft code. However, the City Attorney recommended not adopting the proposed code and zoning changes until necessary updated could be made to Dundee infrastructure plans and a financing strategy was developed for the needed infrastructure. Staff explained that at the May 15, 2019 public hearing, the Planning Commission could adopt an order to recommend acceptance of the proposed amendments but delay adoption until infrastructure plans and finance strategies were in place.

Comments Received:

Public notice of the project was advertised in the Newberg Graphic newspaper. In addition, the hearing was also listed under upcoming events on the City of Dundee website. Property owners within the Riverside District were mailed notice of the proposed code and zoning amendments in accordance with Measure 56 requirements. The city received no new written public comments for this project as of the writing of this report. Comments previously received were included in previous Planning Commission hearing packets. Public testimony was given at the December 19, 2018, January 16, 2019, and February 20, 2019 Planning Commission hearings. No further written comments were received following the February 20, 2019 public hearing.

Analysis:

The proposed amendments include new and updated language within Title 17 (Development Code) of the Dundee Municipal Code (DMC) and new zoning for the Riverside District. Following the February 20, 2019 public hearing, the City Attorney pointed to issues that could arise if all of the proposed changes in zoning were adopted. The city has significant public facilities challenges to resolve before fully serving the entire Riverside area. These relate primarily to water and transportation, but also includes the equitable development of parks.

Applying the zoning to the entire Riverside District and adopting the code as proposed would lead to development approval in the short term, but at a point long before buildout of the Riverside area there would be public facilities deficiencies. The proposed amendments do not adequately address these deficiencies. Based on discussions with the City Attorney, staff is recommending acceptance of the proposed code and zoning amendments but postponing adoption of the amendments until infrastructure and finance plans are adopted for the Riverside District. Staff is working with the property owners and the City Attorney to develop such plans and/or agreements. Once a plan is in place, the amendments will be taken through a new public hearing process with the Dundee Planning Commission and Dundee City Council for adoption.

This approach will allow final drafts of the proposed code and zoning amendments to be developed in accordance with the TGM grant contract without adding to Dundee's public facility deficiencies. In addition, the adoption package that will be brought forward at a later date will include information addressing the long term infrastructure and finance issues which cannot be fully addressed by the limited scope of the TGM grant work. This additional information will be useful in making the policy decisions for the Riverside District that may have impacts beyond just those who own property or wish to develop property in the District.

Preliminary Staff Recommendation

At the May 15, 2019 hearing, the Planning Commission should:

1. Consider the staff report and public testimony.
2. Adopt the attached order recommending that the Dundee City Council accept amendments to the Dundee Development Code and Dundee Zoning Map to implement the Riverside Master Plan but postpone adoption of the proposed amendments until an infrastructure finance plan is adopted for the Riverside District.

Attachments

Planning Commission Order with:
Exhibit A: Proposed Development Code Amendments
Exhibit B: Proposed Zoning Map Amendments

ORDER OF RECOMMENDATION
DUNDEE PLANNING COMMISSION
FILE NO. LURA 18-01

AN ORDER RECOMMENDING THAT CITY COUNCIL ACCEPT AMENDMENTS TO THE DUNDEE DEVELOPMENT CODE AND DUNDEE ZONING MAP TO IMPLEMENT THE RIVERSIDE MASTER PLAN BUT POSTPONE ADOPTION OF THE PROPOSED AMENDMENTS UNTIL AN INFRASTRUCTURE FINANCE PLAN IS ADOPTED FOR THE RIVERSIDE DISTRICT

RECITALS:

1. On September 6, 2016 the Dundee City Council adopted a resolution supporting an application to the Transportation Growth Management Program for a code assistance grant to develop a new Riverside Zone to implement the Riverside District Master Plan adopted in 2011.

2. The City began the Riverside Zone process in September 2017, when the City received the grant from the Oregon Department of Transportation and the Department of Land Conservation and Development Transportation and Growth Management (TGM) program.

3. The Riverside Zone was developed through a public involvement process that included a code committee, stakeholder interviews, in-person and on-line public workshops, and other public outreach.

4. The Riverside Zone includes amendments to the Dundee Development Code and Dundee Zoning Map to implement the Riverside Master Plan.

5. After proper notice, the Dundee Planning Commission held a public hearing on December 12, 2018. The Planning Commission considered the proposed amendments, heard public testimony, and continued the hearing to January 16, 2019.

6. At the January 16, 2019 public hearing the Dundee Planning Commission considered the proposed amendments, heard public testimony, and continued the hearing to February 20, 2019.

7. At the February 20, 2019 public hearing the Dundee Planning Commission considered the proposed amendments, heard public testimony, and continued the hearing to April 3, 2019.

8. At the April 3, 2019 public hearing the Dundee Planning Commission considered the proposed amendments and staff's recommendation to postpone adoption of the proposed amendments until after infrastructure finance plans are adopted for the Riverside District, heard public testimony, and continued the hearing to May 15, 2019.

9. At the May 15, 2019 public hearing staff Dundee Planning Commission considered the proposed amendments, heard public testimony, and passed an order of recommendation to the Dundee City Council.

THE DUNDEE PLANNING COMMISSION ORDERS AS FOLLOWS:

1. The Planning Commission recommends that the Dundee City Council accept the amendments to the Dundee Development Code as shown in Exhibit "A" and Dundee Zoning Map as shown in Exhibit "B".
2. The Planning Commission also recommends that the amendments be employed as the basis for development of an infrastructure plan and an infrastructure finance plan to support future adoption of the amendments.
3. The Planning Commission further recommends that the amendments be adopted, in whole or in part, simultaneously with adoption of corresponding infrastructure and finance plans for the entirety of the Riverside Master Plan area or for independent subareas of the Riverside Master Plan Area, subject to compliance with all applicable criteria.

APPROVED BY THE DUNDEE PLANNING COMMISSION THIS 15th DAY OF MAY, 2019:

AYE: NAY: ABSTAIN: ABSENT:

SIGNED: _____

Shannon Howland Date
Planning Commission Chair

ATTEST: _____

Robert Daykin Date
City Administrator

ATTACHED:
Exhibit A: Proposed Development Code Text Amendments
Exhibit B: Proposed Zoning Map Amendments

EXHIBIT A

Riverside District Code Amendments

May 15. 2019 – Public Hearing Version

INTRODUCTION

This document includes amendments to existing development code and new code provisions to implement the Riverside District Master Plan (RDMP). The proposed amendments that reflect the results of discussions with the Project Management Team (City and state agency staff), the City's Code Committee, members of the Dundee Planning Commission, and other community members. Proposed amendments to code provisions are shown in underline (new language) and ~~strikethrough~~ (deleted text) format. Excerpts of the existing code are included where needed for context.

CHAPTER 17.202 ZONING REGULATIONS

17.202.010 Purpose.

J. Parks and Open Space Zone (PO). ….

K. Riverside Residential Zone (RR). The RR zone implements the Riverside District Master Plan by: providing opportunities for a range of housing types, using residential land in the Riverside District efficiently by establishing a higher average density for the Riverside District than has developed in other parts of the City, and creating walkable neighborhoods.

L. Riverside Neighborhood Mixed Use Zone (RN). The RN zone implements the Riverside District Master Plan by: accommodating a variety of retail, service and office uses (excluding drive-through facilities), and allowing residential development through vertical and horizontal mixed use development – a mix of residential and commercial or retail development on the same site, either side by side or with housing on the top floors above ground-floor businesses. The area is intended to be neighborhood-serving with a pedestrian-oriented scale and buildings ranging from one to four stories in height.

M. Riverside Destination Mixed Use Zone (RD). The RD zone implements the Riverside District Master Plan by allowing for lodging, restaurants, and recreation related uses that take advantage of the riverside location.

N. Riverside Production Zone (RP). The RP zone implements the Riverside District Master Plan by providing opportunities for a range of production, sales, and recreation uses that support tourism and take advantage of nearby open space.

17.202.020 Allowed uses.

Legend for Table 17.202.020:

P: Permitted use

CU: Conditional use

S: Special use requirements apply

N: Use is not permitted

[*Note: Selected zones in the following tables are not shown for readability purposes. Those zones will remain in the tables with no changes*.]

Table 17.202.020: Zoning Use Table	**P: Permitted Use; CU: Conditional Use; S: Special Use Requirements Apply; N: Not Permitted**										
Uses	**Residential**			**Commercial & Employment**			**Riverside District Zones**				**Special Use Requirements**
	R-1	**R-2**	**R-3**	**C**	**CBD**	**LI**	**RR**	**RN**	**RD**	**RP**	
A. Residential Uses											
Single-Family Dwelling, including manufactured homes subject to DMC 17.203.100	P	P	P	S	S	N	P	N	N	N	DMC 17.203.190 in commercial zones DMC 17.203.280 in Riverside mixed use zones
Two-Family (Duplex) Dwelling, Single-Family Attached Dwelling	N	S	S	S	S	N	P	N	N	N	DMC 17.203.080, DMC 17.202.040(G) for single-family attached DMC 17.203.190 in commercial zones DMC 17.203.280 in Riverside mixed use zones
Zero Side Yard Dwellings (Townhouse or Single-Family Detached)	N	N	S	N	N	N	P	S	S	N	DMC 17.202.040(G) DMC 17.203.280 in Riverside mixed use zones
Compact Detached Dwelling	N	N	N	N	N	N	P	S	S	N	DMC 17.203.280 in Riverside mixed use zones

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	R-1	**R-2**	**R-3**	**C**	**CBD**	**LI**	**RR**	**RN**	**RD**	**RP**	
Manufactured Dwelling Park or Mobile Home Park	N	N	S	N	N	N	S	N	N	N	DMC 17.203.110 DMC 17.203.280 in Riverside mixed use zones
Multifamily Dwelling	N	N	P	S	S	N	P	S	S	N	DMC 17.203.120 in residential zones; DMC 17.203.200 for ground floor multifamily in commercial zones; DMC 17.203.190 for existing residential uses in commercial zones DMC 17.203.280 in Riverside mixed use zones
Live/Work Dwellings	N	N	N	N	N	N	N	S	S	P	DMC 17.203.280 in Riverside mixed use zones
Dwelling(s), above permitted ground floor commercial	N	N	N	P	P	N	N	P	P	S	
Boarding, Lodging, or Rooming House	N	N	P	N	N	N	N	P	P	N	
Accessory Dwelling Unit	S	S	S	S	S	N	S	S	S	N	DMC 17.203.260
Home Occupation	S	S	S	S	S	N	S	S	S	S	DMC 17.203.090, DMC 17.203.180 in EFU
Family Child Care Home	P	P	P	P	P	N	P	S	S	N	DMC 17.203.280 in Riverside mixed use zones
Residential Care Home	P	P	P	S	S	N	P	S	S	N	DMC 17.203.190 for existing residential uses in commercial zones DMC 17.203.280 in Riverside mixed use zones
Residential Care Facility	N	N	P	S	S	N	P	S	S	N	DMC 17.203.200 for ground floor multifamily and residential care facilities in commercial zones DMC 17.203.280 in Riverside mixed use zones

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Uses	Residential			Commercial & Employment			Riverside District Zones				Special Use Requirements
	R-1	R-2	R-3	C	CBD	LI	RR	RN	RD	RP	
B. Public and Institutional Uses											
Cemetery	CU	CU	CU	N	N	N	CU	CU	CU	CU	
Church	CU	CU	CU	P	P	N	CU	P	P	CU	DMC 17.203.180, see limits in OAR 660-33 in EFU
Community Building	CU	CU	CU	P	P	N	CU	P	P	CU	DMC 17.203.180, see limits in OAR 660-33 in EFU
Club, Lodge, or Fraternal Organization	CU	CU	CU	P	P	N	CU	P	P	CU	
Day Care Facility, Preschool	CU	CU	CU	P	P	N	CU	P	P	N	
Emergency Service Facility	N	N	N	P	CU	N	N	P	CU	CU	DMC 17.203.180, see limits in OAR 660-33 in EFU
Hospital	N	N	CU	P	N	N	N	N	N	N	
Mortuary	N	N	N	P	N	N	N	N	N	N	
Nursing Home	N	N	CU	N	N	N	CU	P	P	N	DMC 17.203.280 in Riverside mixed use zones
Parking Facility	N	N	N	P	P	P	N	CU	CU	CU	
Parks Not to Exceed One-Half Acre, including Playgrounds, Trails, Nature Preserves, Athletic Fields, Courts, Swim Pools, including Accessory Buildings and Structures	P	P	P	P	P	N	P	P	P	P	DMC 17.203.130, DMC 17.203.180 in EFU, see limits in OAR 660-33 in EFU
Parks Greater Than One-Half Acre, including Playgrounds, Trails, Nature Preserves, Athletic Fields, Courts, Swim Pools, including Accessory Buildings and Structures	S	S	S	S	S	N	S	S	S	S	DMC 17.203.130, DMC 17.203.180 in EFU, see limits in OAR 660-33 in EFU
School, College or Vocational	CU	CU	CU	CU	CU	N	N	CU	CU	CU	

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Uses	**Residential**			**Commercial & Employment**			**Riverside District Zones**				**Special Use Requirements**
	R-1	**R-2**	**R-3**	**C**	**CBD**	**LI**	**RR**	**RN**	**RD**	**RP**	
School, Commercial	N	N	N	P	P	N	N	P	P	CU	
School, Elementary or Secondary	CU	CU	CU	N	N	N	CU	P	P	N	
Solid Waste Disposal and Recycling Sites and Facilities, except as accessory to a permitted use	N	N	N	N	N	CU	N	N	N	N	
Utility, Area	CU	CU	CU	CU	CU	P	CU	CU	CU	P	
Wireless Communication Facilities	CU +S	CU+ S	CU+ S	CU+ S	CU+S	S	CU+S	CU+S	CU+S	CU+S	DMC 17.203.170, DMC 17.203.180 in EFU, see limits in OAR 660-33 in EFU
Transportation Facilities, per DMC 17.501.020	P	P	P	P	P	P	P	P	P	P	See limits in OAR 660-033 in EFU
Transit Centers and Park-and-Ride Lots	CU	CU	CU	CU	CU	CU	CU	CU	CU	CU	

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Uses	**Residential**			**Commercial & Employment**			**Riverside District Zones**				**Special Use Requirements**
	R-1	**R-2**	**R-3**	**C**	**CBD**	**LI**	**RR**	**RN**	**RD**	**RP**	
C. Commercial Uses											
Amusement and Recreation Facilities, including Theaters, Bowling Alleys, Concert Venues	N	N	N	CU/ S	CU/S	N	N	CU/S	CU/S	CU/S	DMC 17.203.220 in commercial zones and Riverside mixed use and Riverside Production zones; see DMC 17.203.140, Outdoor/unenclosed uses, DMC 17.203.070 if drive-through or walk-up service

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Uses	Residential			Commercial & Employment			Riverside District Zones				Special Use Requirements
	R-1	R-2	R-3	C	CBD	LI	RR	RN	RD	RP	
Art Gallery, Artisan or Craftsman Studio, Photographic Studio, Picture Framing, similar uses	N	N	N	P	P	N	N	P	P	P	
Automobile Service Station	N	N	N	CU+S	N	S	N	N	N	N	DMC 17.203.040
Automotive Repair and Service, including Car Wash, Tire Sales and Repair/Replacement, Painting, Auto Body Shop; includes Automobiles, Motorcycles, Aircraft, Boats, RVs, Trucks	N	N	N	CU+S	N	S	N	N	N	N	DMC 17.203.140 if outdoors/unenclosed
Automotive Sales and Rental, including Automobiles, Motorcycles, Aircraft, Boats, RVs, and Trucks	N	N	N	CU+S	N	N	N	N	N	N	DMC 17.203.140 if outdoors/unenclosed
Automotive Parts and Accessory Sales	N	N	N	S	N	N	N	P/S	N	P/S	DMC 17.203.140 if outdoors/unenclosed
Bakery, Butcher Shop, Candy Manufacturing, and similar uses, when retail sales provided on premises	N	N	N	P/S	P/S	N	N	P/S	P/S	P/S	See DMC 17.203.070 if drive-through or walk-up service
Banks and Other Financial Institutions	N	N	N	P/S	P/S	N	N	P/S	P/S	N	See DMC 17.203.070 if drive-through or walk-up service
Barber or Beauty Shop	N	N	N	P	P	N	N	P	P	N	
Bed and Breakfast Inn, with three or fewer guest sleeping rooms	P	P	P	P	P	N	P	S	S	N	DMC 17.203.050 DMC 17.203.280 in Riverside mixed use zones
Bed and Breakfast Inn, with four or more guest sleeping rooms	CU	CU	CU	P	P	N	CU	P	P	N	DMC 17.203.050
Bicycle Rental Shop	N	N	N	P	P	N	N	P	P	P	

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Uses	Residential			Commercial & Employment			Riverside District Zones				Special Use Requirements
	R-1	R-2	R-3	C	CBD	LI	RR	RN	RD	RP	
Boat Landing, not a marina	N	N	N	N	N	N	N	N	N	N	DMC 17.203.130, DMC 17.203.180 in EFU, see limits in OAR 660-33 in EFU
Business and Professional Offices	N	N	N	P	P	N	N	P	P	P	
Garden Supply, including Commercial Greenhouses	N	N	N	P/S	CU+S	CU+S	N	CU+S	N	P/S	DMC 17.203.140 if outdoors/unenclosed, DMC 17.203.180 in EFU, see limits in OAR 660-33 in EFU
Golf Course	CU	CU	CU	N	N	N	N	N	CU	CU	DMC 17.203.180, see limits in OAR 660-33 in EFU
Golf Driving Range, Miniature Golf	N	N	N	CU	N	N	N	CU	CU	CU	See DMC 17.203.140
Golf Pro Shop	N	N	N	P	P	N	N	P	P	P	
Hotels and Motels	N	N	N	P	P	N	N	P	P	CU	
Kennel	N	N	N	CU	N	CU	N	N	N	CU	See DMC 17.203.140
Lumber Yard and Similar Outdoor Sales of Building or Contracting Supplies	N	N	N	N	N	S	N	N	N	S	DMC 17.203.140
Marijuana Uses											
Marijuana Dispensary or Retail Facility	N	N	N	P/S	P/S	N	N	N	N	N	DMC 17.203.250
Marijuana Producer or Grow Site	N	N	N	CU + S	N	P/S	N	N	N	N	DMC 17.203.250
Marijuana Processor	N	N	N	CU + S	N	P/S	N	N	N	N	DMC 17.203.250
Marijuana Wholesaler	N	N	N	CU + S	N	P/S	N	N	N	N	DMC 17.203.250
Marijuana Testing Laboratory or Research Certificate	N	N	N	P/S	N	P/S	N	N	N	N	DMC 17.203.250
Marina, with no boat repair	N	N	N	N	N	N	N	N	N	N	DMC 17.203.140

Table 17.202.020: Zoning Use Table	**P: Permitted Use; CU: Conditional Use; S: Special Use Requirements Apply; N: Not Permitted**										
Uses	**Residential**			**Commercial & Employment**			**Riverside District Zones**				**Special Use Requirements**
	R-1	**R-2**	**R-3**	**C**	**CBD**	**LI**	**RR**	**RN**	**RD**	**RP**	
Medical/Dental Clinic	N	N	N	P	P	N	N	P	P	P	
Paint and Painting Supplies Sales or Rental	N	N	N	P	P	P	N	P	N	P	
Restaurants, and Other Eating and Drinking Establishments	N	N	N	P/S	P/S	N	N	P/S	P/S	P/S	DMC 17.203.140 if outdoors/unenclosed, DMC 17.203.070 if drive-through or walk-up service
Retail Sales, including Accessory Services and Repair, except as specified elsewhere in this table	N	N	N	P/S	P/S	N	N	P/S	P/S	P/S	DMC 17.203.140 if outdoors/unenclosed, DMC 17.203.070 if drive-through or walk-up service
Retail Small-Scale Winery, Brewery or Distillery	N	N	N	S	S	N	N	S	S	S	DMC 17.203.060
Service-Related Businesses, except as specified elsewhere in this table	N	N	N	P/S	P/S	N	N	P/S	P/S	P/S	DMC 17.203.140 if outdoors/unenclosed, DMC 17.203.070 if drive-through or walk-up service
Tractor and Farm Equipment, or Logging Equipment, Sales and Service	N	N	N	CU+S	N	S	N	N	N	N	DMC 17.203.140 if outdoors/unenclosed
Vacation Rental, with Three or Fewer Bedrooms	P	P	P	P	P	N	P	S	S	N	DMC 17.203.240 DMC 17.203.280 in Riverside mixed use zones
Vacation Rental, with Four or More Bedrooms	CU	CU	CU	CU	CU	N	CU	S	S	N	DMC 17.203.240 DMC 17.203.280 in Riverside mixed use zones

Table 17.202.020: Zoning Use Table	**P: Permitted Use; CU: Conditional Use; S: Special Use Requirements Apply; N: Not Permitted**										
Uses	**Residential**			**Commercial & Employment**			**Riverside District Zones**				**Special Use Requirements**
	R-1	**R-2**	**R-3**	**C**	**CBD**	**LI**	**RR**	**RN**	**RD**	**RP**	
D. Industrial and Mixed Employment Uses											
Airports, and Heliport Facilities	N	N	N	N	N	CU	N	N	N	N	
Auction Yards	N	N	N	N	N	CU+S	N	N	N	N	DMC 17.203.140
Beverage and Bottling Facility, Winery, Brewery, or Distillery, including Warehousing and Distribution; see also Retail Small-Scale Winery, Brewery, or Distillery	N	N	N	N	N	P	N	N	N	P	
Bulk Storage of Flammable Liquids or Gases; Petroleum Products Storage and Distribution; Wood or Biomass Fuel Dealers	N	N	N	N	N	CU	N	N	N	N	DMC 17.203.140 if outdoors/unenclosed
Call Centers and Data Centers	N	N	N	CU	CU	CU	N	N	N	N	
Cement, Glass, Clay, and Stone Products Manufacture	N	N	N	N	N	P	N	N	N	CU	DMC 17.203.140 if outdoors/unenclosed
Chemical, Fertilizer, Insecticide, Paint Product Manufacture, or Similar Uses	N	N	N	N	N	CU	N	N	N	N	DMC 17.203.140 if outdoors/unenclosed
Concrete or Asphalt Batch Plants	N	N	N	N	N	CU+S	N	N	N	N	DMC 17.203.140
Dairy Products Manufacture, e.g., butter, milk, cheese, ice cream	N	N	N	N	N	P	N	N	N	CU	DMC 17.203.140 if outdoors/unenclosed
Dwelling for a Caretaker or Watchperson	N	N	N	N	N	P	N	N	N	S	Permitted as an accessory use to an industrial use only.
Feed and Seed Facilities, including Grain Elevators and Storage	N	N	N	N	N	P	N	N	N	N	DMC 17.203.140 if outdoors/unenclosed, DMC 17.203.180 in EFU, see limits in OAR 660-33 in EFU

Table 17.202.020: Zoning Use Table	**P: Permitted Use; CU: Conditional Use; S: Special Use Requirements Apply; N: Not Permitted**										
Uses	**Residential**			**Commercial & Employment**			**Riverside District Zones**				**Special Use Requirements**
	R-1	**R-2**	**R-3**	**C**	**CBD**	**LI**	**RR**	**RN**	**RD**	**RP**	
Finished Textile and Leather Products Manufacture	N	N	N	N	N	P	N	N	N	P	DMC 17.203.140 if outdoors/unenclosed
Food Processing, including Canning, Freezing, Drying and Similar Food Processing and Preserving	N	N	N	N	N	P	N	N	N	P	DMC 17.203.140 if outdoors/unenclosed, DMC 17.203.180 in EFU, see limits in OAR 660-33 in EFU
Freight Terminals, including Loading Docks, Storage, Warehousing, Wholesale Distribution, Cold Storage; except personal storage such as mini-storage warehouses	N	N	N	N	N	P	N	N	N	N	DMC 17.203.140 if outdoors/unenclosed
Machine Shop, and Sales, Service and Repair of Machinery	N	N	N	N	N	P	N	N	N	CU	DMC 17.203.140 if outdoors/unenclosed
Metal Plating	N	N	N	N	N	CU	N	N	N	N	DMC 17.203.140 if outdoors/unenclosed
Metal Products Manufacture	N	N	N	N	N	P	N	N	N	CU	DMC 17.203.140 if outdoors/unenclosed
Newspaper, Periodical, Publishing and Printing	N	N	N	CU	CU	P	N	N	N	P	
Outdoor Storage of Materials of an Industrial Character	N	N	N	N	N	CU+S	N	N	N	CU+S	DMC 17.203.140
Personal Storage, such as Mini-Storage Warehouses	N	N	N	CU+S	N	P	N	CU+S	N	CU+S	DMC 17.203.140 if outdoors/unenclosed; DMC 17.203.230 in the community commercial zone, Riverside Neighborhood mixed-use and Riverside Production.
Rendering Plants	N	N	N	N	N	N	N	N	N	N	
Small-Scale Manufacturing ~~in the community commercial zone~~, as defined in DMC 17.203.150.	N	N	N	S	N	N	N	S	N	N	DMC 17.203.150
Specialty Trade Contracting Facilities, conducted wholly within a building	N	N	N	CU	N	P	N	N	N	P	

Table 17.202.020: Zoning Use Table	P: Permitted Use; CU: Conditional Use; S: Special Use Requirements Apply; N: Not Permitted										
Uses	Residential			Commercial & Employment			Riverside District Zones				Special Use Requirements
	R-1	R-2	R-3	C	CBD	LI	RR	RN	RD	RP	
Specialty Trade Contractor Facilities, conducted all or partially outdoors	N	N	N	N	N	S	N	N	N	CU	DMC 17.203.140
Welding Shop and Blacksmith, conducted wholly within a building	N	N	N	CU	N	P	N	N	N	P	
Welding Shop and Blacksmith, conducted all or partially outdoors	N	N	N	N	N	S	N	N	N	CU	DMC 17.203.140
Wood Products Manufacture, including sawmills, paper and allied products, and secondary wood products	N	N	N	N	N	P	N	N	N	CU	DMC 17.203.140 if outdoors/unenclosed
Wrecking, Demolition, Junk Yards, including Recycling Firms	N	N	N	N	N	CU+S	N	N	N	N	DMC 17.203.140

Table 17.202.020: Zoning Use Table	P: Permitted Use; CU: Conditional Use; S: Special Use Requirements Apply; N: Not Permitted										
Uses	Residential			Commercial & Employment			Riverside District Zones				Special Use Requirements
	R-1	R-2	R-3	C	CBD	LI	RR	RN	RD	RP	
E. Agricultural and Natural Resource Uses											
Gardening	P	P	P	P	P	P	P	P	P	P	
Farm Use	N	N	N	N	N	N	N	N	N	N	See DMC Title 6 and DMC 8.16.020. Livestock not allowed in A
Dwelling, Primary, Customarily Provided in Conjunction with Farm Use	N	N	N	N	N	N	N	N	N	N	DMC 17.203.180
Additional Dwellings in Conjunction with Farm Use	N	N	N	N	N	N	N	N	N	N	DMC 17.203.180, see OAR 660-33 for limits in EFU

Table 17.202.020: Zoning Use Table	P: Permitted Use; CU: Conditional Use; S: Special Use Requirements Apply; N: Not Permitted										
Uses	Residential			Commercial & Employment			Riverside District Zones				Special Use Requirements
	R-1	R-2	R-3	C	CBD	LI	RR	RN	RD	RP	
Any other dwelling listed as an allowed use under OAR Chapter 660, Division 33	N	N	N	N	N	N	N	N	N	N	DMC 17.203.180, see OAR 660-33 for limits
Any other dwelling that may be allowed after required review under OAR Chapter 660, Division 33	N	N	N	N	N	N	N	N	N	N	DMC 17.203.180, see OAR 660-33 for limits
Commercial Activities in Conjunction with Farm Use, except Farm Stands	N	N	N	N	N	N	N	N	N	N	DMC 17.203.180, see OAR 660-33 for limits in EFU
Farm Stand per ORS 215.283(o)	N	N	N	N	N	N	N	N	N	N	DMC 17.203.180, see OAR 660-33 for limits in EFU
Operations for the Exploration for and Production of Geothermal Resources as defined by ORS 522.005 and Oil and Gas as defined by ORS 520.005, including the Placement and Operation of Compressors, Separators and Other Customary Production Equipment for an Individual Well Adjacent to the Wellhead; Operations for the Exploration for Minerals as defined by ORS 517.750.	N	N	N	N	N	N	N	N	N	N	
Operations Conducted for Mining and Processing of Geothermal Resources as defined by ORS 522.005 not otherwise permitted; Operations Conducted for Mining, Crushing or Stockpiling of Aggregate and Other Mineral and Other Subsurface Resources; Processing of Other Mineral Resources and Other Subsurface Resources	N	N	N	N	N	N	N	N	N	N	DMC 17.203.180, see OAR 660-33 for limits
Veterinary Clinic with On-Site Service of Farm Animals	N	N	N	N	N	N	N	N	N	N	DMC 17.203.180, see OAR 660-33 for limits

Table 17.202.020: Zoning Use Table	**P: Permitted Use; CU: Conditional Use; S: Special Use Requirements Apply; N: Not Permitted**										
Uses	**Residential**			**Commercial & Employment**			**Riverside District Zones**				**Special Use Requirements**
	R-1	**R-2**	**R-3**	**C**	**CBD**	**LI**	**RR**	**RN**	**RD**	**RP**	
Any other use specifically listed in OAR Chapter 660, Division 33 that must be an allowed use in EFU zones	N	N	N	N	N	N	N	N	N	N	DMC 17.203.180, see OAR 660-33 for limits
F. Accessory Uses	P/CU	P/CU	P/CU	P/CU	P/CU	P/CU	P/CU	P/CU	P/CU	P/CU	P or CU per primary use, DMC 17.203.180 in EFU; DMC 17.203.270 in LI
G. Temporary Uses	S	S	S	S	S	S	S	S	S	S	DMC 17.203.160, plus DMC 17.203.180 in EFU, see OAR 660-33 for limits in EFU

17.202.030 Lot and development standards by zoning district

Table 17.202.030 – Lot and Development Standards by Zoning District

Uses	Residential			Commercial and Employment			Riverside District				Exceptions
	R-1	R-2	R-3	C	CBD	LI	RR	RN	RD	RP	See also DMC 17.202.040
A. Minimum Lot Area (Square Feet) – (b) applies to all zones											
Single-Family Dwelling (1 unit)	9,000	7,000	5,000 (a)	5,000 (all uses)	5,000 (all uses)	5,000 (all uses)	4,000 (p) (s) (w)	NA	NA	NA	(a) 3,000 per dwelling unit if more than one dwelling on a lot. (b) Where the slope of the ground exceeds 11 percent in any direction over more than 60 percent of the lot, the area of the lot shall be increased as follows: 11 – 15% slope = min. lot area + 20% 16 – 20% slope = min. lot area + 50% 21 – 25% slope = min. lot area + 100% 26 – 30% slope = min. lot area + 200% 31%+ slope = specified by city engineer (p) Except Compact Detached Dwellings. (s) See 17.204.060 for maximum lot area standards for subdivisions in the RR zone. (t) For single family attached dwellings, 5,000 square feet required in total for both lots.
Duplex Dwelling (2 units)	NA	10,000	6,000 (a)				5,000 (t) (w)	5,000	5,000	NA	
Townhouse Dwelling Units, Compact Detached Dwellings, and Live/Work Dwellings	NA	NA	3,000 per unit				1,800 per unit (w)	1,800 per unit	1,800 per unit	1,800 per unit	
Multifamily Dwellings (3 or more units)	NA	NA	3,000 per unit				1,200 per unit (w)	1,200 per unit	1,200 per unit	NA	
Nonresidential Uses and dwellings above ground floor commercial (where permitted)	Adequate to contain all structures within required yard setbacks						None	5,000	5,000	5,000	

Uses	Residential			Commercial and Employment			Riverside District				Exceptions
	R-1	R-2	R-3	C	CBD	LI	RR	RN	RD	RP	See also DMC 17.202.040
B. Yard Setback Requirements (Feet)											

Uses	Residential			Commercial and Employment			Riverside District				Exceptions
	R-1	R-2	R-3	C	CBD	LI	RR	RN	RD	RP	See also DMC 17.202.040
Primary Front Yard – Minimum	20(d)	20(d)	15	10(j)	5(j)	10*	10 (u) (w)	0 (q)	0 (q)	10	(d) Minimum front yard for unenclosed, single story porch or deck is 15. (e) Minimum side or rear setback adjoining residential zone is 20 feet. (f) Minimum rear setback is 50 feet for nonresidential uses. (g) Minimum side setback is 30 feet for nonresidential uses. (h) Minimum side or rear setback adjoining residential zone is 10 feet. (i) Limited to six common wall dwellings on individual lots. (j) Minimum front yard setbacks apply only abutting Highway 99W right-of-way. Minimum front setback abutting other public rights-of-way is zero. (k) Compliance with the maximum front yard standards is determined as specified in DMC 17.202.060(A). (q) Residential buildings without ground floor commercial are subject to the standards of the RR zone. (u) Garage entrances must be set back a minimum of 20 feet from the front lot line. (w)Proposed housing units and lots adjacent to a lower density, Dundee residential zone must meet the development standards of the lower density zone.
Secondary Front Yard – Minimum	20(d)	15	15	10(j)	5(j)	10*	10 (w)	0 (q)	0 (q)	10	
Primary Front Yard – Maximum				20(k)	15(k)		-	20(k) (q)	15(k) (q)	-	
Secondary Front Yard – Maximum				40(k)	30(k)		-	40(k) (q)	30(k) (q)	-	
Side Yard for a Principal Structure	10	7.5	5	None (e)	None (e)	None (e)	5 (w)	None (e) (q)	None (e) (q)	None (e)	
Rear Yard for a Principal Structure	20	15	15	None (e)	None (e)	None (e)	10 (w)	None (e) (q)	None (e) (q)	None (e)	
Rear Yard or Side Yard for an Accessory Structure	1/3 of building height, none if 6 feet high or less			None (e)	None (e)	None (e)	1/3 of building height, none if 6 feet high or less	None (e) (q)	None (e) (q)	None (e)	
Side Yards for Zero Side Yard Dwelling Units	NA	NA	10, except zero yard (i)	NA	NA	NA	10, except zero yard (i)	NA (q)	NA (q)	NA	
Setback from Partial Street	New structures or structure additions on lots abutting an existing public street that does not meet the minimum standards of DMC 17.305.030 for right-of-way width shall provide setbacks sufficient to allow for the future widening of the right-of-way, plus the minimum required yard setback. Building permits shall not be issued for new structures or additions that do not meet this standard.										

Uses	Residential			Commercial and Employment			Riverside District				Exceptions
	R-1	R-2	R-3	C	CBD	LI	RR	RN	RD	RP	See also DMC 17.202.040
C. Maximum Structure Height (Feet)											
Dwellings	30	30	30	45(l)	45(l)	45	35(v) (w)	45	45	35	(l) New structures shall be limited to three stories.
Non-Dwelling Structures	30	30	30	45(l)	45(l)	45	35(v) (w)	45	45	45	(m) Telecommunication structures in excess of 45 feet in height allowed with conditional use permit. (v) Additional 10' bonus (total of 45') is available to residential buildings in RR zone which follow additional provisions in 17.202.080.G

Uses	Residential			Commercial and Employment			Riverside District				Exceptions
	R-1	R-2	R-3	C	CBD	LI	RR	RN	RD	RP	See also DMC 17.202.040
D. Minimum Lot Dimensions (Feet)											
Lot Width and Frontage	60	60	50(n)	None			30 (n) (w)	None (q)	None (q)	None (q)	(n) Minimum lot width for lots containing townhouse dwelling units built the full width of the lot is 20 feet.
Lot Depth	90(o)	90(o)	80(o)	None			50 (o) (w)	None (q)	None (q)	None (q)	(o) Lot depth shall not be more than three times the lot width, except townhouses (no limit, but must provide 300 sq. ft. of semi-private outdoor living space for each unit), single-family attached (three and one-half times max.) and public utility uses (no limit).

Uses	Residential			Commercial and Employment			Riverside District				Exceptions
	R-1	R-2	R-3	C	CBD	LI	RR	RN	RD	RP	See also DMC 17.202.040
E. Maximum Lot Coverage (% of Lot)											
Lot Coverage	35	40	45	None			45 (r) (w)	None (q)	None (q)	None	(q) Residential buildings without ground floor commercial are subject to the standards of the RR zone. (r) Townhouse dwellings, Compact Detached dwellings, and multifamily dwellings have a maximum lot coverage of 60% and a maximum combined lot and parking area coverage of 90%.
Parking Area Coverage	30	30	30	None			30 (w)	None (q)	None (q)	None	
Combined Lot and Parking Area Coverage	65	70	75	None			75 (r) (w)	None (q)	None (q)	None	

17.202.050 Fence standards.

A. General Standards.

1. Fences and walls shall not be constructed of nor contain any material that could cause bodily harm, such as barbed wire, broken glass, spikes, electric or any other hazardous or dangerous materials; this includes link fencing with barbed ends at the top or sides; except that fences topped with barbed wire are allowed in agricultural and public zones.

2. Electric fences and barbed wire fences in agricultural zones intended to contain or restrict cattle, sheep, horses or other livestock, and lawfully existing prior to annexation to the city, may remain.

3. Every fence shall be maintained in a condition of reasonable repair and shall not be allowed to become and remain in a condition of disrepair including noticeable leaning, missing sections, broken supports, nonuniform height, and uncontrolled growth of vegetation.

4. Fences shall comply with requirements of the clear vision area for streets and driveways.

5. In no instance shall a fence extend beyond the property line.

6. In the RN, RD, C and CBD zones, chain link fencing may not be used between a public street and a maximum setback line, with the following exceptions:

   a. In the RN and C zone, black fused and bonded vinyl coated chain link fencing may be used, subject to subsection (B) of this section. In the CBD, RN and RD zones, black fused and bonded vinyl coated chain link fencing may be used if screened from view from the street by a sight-obscuring hedge of equal height, subject to subsection (B) of this section.

7. In the LI and RP zones, fences taller than six feet in height shall not be chain link. Fences over six feet in height shall be screened by a sight obscuring hedge.

B. Fence Heights.

1. Fences in residential zones shall not exceed four feet in height in the required primary front yard setback, and six feet in height within secondary front, side or rear yard setback.

2. Fences and walls in the RN, RD, C and CBD zones shall not exceed four feet in height between a public street and the maximum front yard setback line (per DMC 17.202.030(B)) and six feet in height within a side or rear yard setback.

3. Fences in interior yards more than six feet in height shall meet the setback requirements in Table 17.202.030 for an accessory structure.

4. The fence height limits above include the height of soil berms under the fence or acting as a fence.

5. Vertical structural members such as posts or columns that are not wider than two feet and that are spaced not closer than eight feet (other than when located on either side of a gate or portal) and ornamental features on top of the posts or columns shall not be used in determining height.

6. If a variance has been granted to the fence height restriction, a building permit may be required prior to construction.

7. In the LI and RP zones, fences shall not exceed eight feet, except where used for outdoor storage areas that are not adjacent to a public right-of-way.

8. In the RN and RD zones, fences shall have a 18 inch buffer of maintained landscaping between the sidewalk and fence if the fence is taller than 42 inches. Landscaping must meet landscaping standards in Section 17.302 and must not exceed a height of 42 inches at maturity.

9 In the RP zone, fences and walls shall not exceed four feet in height within a front yard setback abutting a Parkway Collector, as designated in the TSP. In the RP zone, chain link fencing may not be used in a front yard setback abutting a Parkway collector except for black fused and bonded vinyl coated chain link fencing that is screened from view from the street by a sight-obscuring hedge of equal height.

17.202.060 Site and building design standards in commercial and mixed use zones.

The following standards apply to all development in the RD, RN, C and CBD zones that is subject to land use approval, except that modification or expansion of an existing residential use allowed pursuant to DMC 17.203.190 is exempt from this section.

A. Maximum Building Setbacks. The maximum building setbacks are stated in Table 17.202.030.

…

2. Standards. There are two standards, as specified below:

a. In the RN and C zones, at least 50 percent of the length of the ground level street-facing facade of the building must be within the maximum setback;

b. In the RD and CBD zones, 80 percent of the length of the ground level street-facing facade of the building must be within the maximum setback.

…

4. Sites with Multiple Frontages.

a. Sites on corner lots shall meet the applicable standard above for the primary street frontage of their choosing. On the secondary street frontage, the maximum setback is

adjusted to 30 feet for the RD and CBD zones and 40 feet for the RN and C zones. Building frontages used to meet the setback requirements on either the primary or secondary street frontage are considered "street walls" for purposes of this code (see Figure 4).

…

B. Parking Location. In order to encourage pedestrian-friendly commercial and Riverside mixed use development, and to prevent vehicle parking from dominating the streetscape, the location of parking areas and areas for vehicle circulation on a site are limited.

1. Applicability. …

2. Standards.

…

b. In the RD and CBD zones, in addition to meeting the standard above, sites with 100 feet or more of frontage on any single street shall have parking and vehicle circulation areas abutting no more than 50 percent of the total street frontage along that street.

3. Sites with Multiple Frontages. …

4. Exceptions.

a. In the C zone, drive-through lanes may be located between the street wall and the street if the applicant can demonstrate that it is not feasible to configure the site in any other way. The standards in DMC 17.203.070(B) shall apply.

…

C. Front Setback Landscaping. In order to enhance pedestrian comfort, development in the RD, RN, C and CBD zones shall be required to provide landscaping and/or pedestrian amenities within front setback areas between the building and the street.

1. Applicability. …

2. Standards. Front setback areas in the RD, RN, C and CBD zones shall be landscaped to include a mix of plants and pedestrian amenities as follows:

a. In the RD and CBD zones, front setback areas may be used for outdoor seating, pedestrian plazas, benches, walkways, outdoor display of merchandise during business hours (subject to DMC 17.203.140), sculptures, fountains, patios/decks, planter boxes, stormwater management features such as rain gardens and bioswales, tree wells, and/or other plant materials. At least 50 percent of the front setback between the front lot line and a street wall must be hard-surfaced with material other than asphalt and intended for usage by pedestrians and/or customers.

b. In the RD and CBD zones, hedges in excess of four feet in height planted within front setback areas shall be limited to 50 percent of the width of the street frontage on each abutting street (there is no limitation on hedges four feet in height or less).

c. In the RN and C zones, front setback areas shall be landscaped predominately with plant materials. Pedestrian walkways, benches, outdoor seating, and other features listed above for the RD and CBD zones may be incorporated within front setback areas, but are not required. Plant materials within the front setback area shall include one or more varieties of shrubs, bushes, or trees and one or more varieties of perennial flowers. The remaining area shall be planted with grass or living ground cover to assure 80 percent coverage within two years.

3. Sites with Multiple Frontages.

[…]

D. Entrances. In order to provide for safe and convenient pedestrian access to businesses, entrances that face or connect directly to the street are required in the commercial and Riverside mixed use zones.

1. Applicability. …

2. Standards. There are two standards, as specified below:

a. In the RN and C zones, the primary building entrance for all buildings on the site shall face towards or within 90 degrees of the street and shall be as close as is practical to the street.

b. In the RD and CBD zones, all buildings shall provide an entrance facing the street, and the primary building entrance for all buildings on site shall be either facing the street or be oriented towards an internal pedestrian plaza with a direct walkway to the street. Buildings less than 1,000 square feet in floor area and that were constructed prior to January 1, 2015, shall comply with the standards in the RN and C zones above provided windows are at least 50 percent of the ground level area of the street wall.

3. Sites with Multiple Frontages. …

4. Exceptions. …

E. Ground Floor Windows. On the ground level of buildings in the commercial and Riverside mixed use zones, blank walls are limited and windows are required in order to provide an interesting and inviting pedestrian environment that encourages pedestrian activity and to enhance pedestrian safety through greater visibility of the sidewalk from the interior of buildings.

1. Applicability. …

2. Standards. There are two standards, as specified below. In the RD and CBD zones, all street walls shall meet standard 1, except as specified in subsection (E)(3) of this section. In the RN and C zones, all street walls shall meet standard 2.

a. Standard 1: Windows must be at least 50 percent of the ground-level area of the street wall.

b. Standard 2: Windows must be at least 30 percent of the ground-level area of the street wall.

3. Exceptions.

a. Sites in the CBD zone with more than one frontage shall meet the standards as follows:

i. Sites with 50 feet or more of frontage on Highway 99W shall meet standard 1 on applicable facades facing Highway 99W. On other frontages, standard 2 shall apply.

ii. Sites that do not have 50 feet or more of frontage on Highway 99W shall meet standard 1 on the longer street frontage. Where frontages are of equal length, the applicant may choose on which frontage to meet standard 1. On other frontages, standard 2 shall apply.

b. Sites in the RD with more than one frontage shall meet the standards as follows:

i. Standard 1 shall be met on the street wall with the street entrance.

ii. Standard 2 shall be met on all other street walls.

…

F. Facade Articulation. In order to reduce the scale of large buildings and add visual interest and to encourage architectural design that contributes to the pedestrian environment, street walls shall include articulation features to break up long facades as set forth in this section.

1. Applicability. The standards of this subsection (F) shall apply to all new street walls. Exterior remodels of existing nonconforming buildings shall improve compliance with these standards where possible, and at a minimum shall not increase nonconformance.

2. Standards. There are two standards, as specified below. In the RD and CBD zones, all street walls shall meet standard 1, except as specified in subsection (F)(3) of this section. In the RN and C zones, all street walls shall meet standard 2.

a. Standard 1: All street walls over 40 feet in length shall include at least two of the articulation methods listed in this section every 40 feet.

b. Standard 2: All street walls over 60 feet in length shall include at least two of the articulation methods listed in this section every 60 feet in length.

…

G. Architectural Features Design Matrix. In order to encourage pedestrian-oriented and sustainable design while allowing flexibility on architectural style, development in commercial and Riverside mixed use zones shall provide a combination of design features to meet the standards set forth in this section.

1. Applicability. The standards of subsection (D) of this section shall apply to all new buildings, additions, and exterior renovations within the RN, RD, C and CBD zones. Improvements on lots containing nonconforming development are subject to DMC 17.104.040(E).

2. Standards. Compliance with the requirement to provide a suitable combination of building design features in each zone shall be determined based on the standards below and Table 17.202.060. Table 17.202.060 identifies the menu of design criteria and the points earned for varying degrees of compliance with each criterion. The number of points awarded for a given criterion shall be the greatest number of points for which the proposal fully meets the threshold(s) specified; proposals that fall between two thresholds shall be awarded the lower number of points. There are two standards for the minimum total number of points that must be earned, as specified below. In addition, minimum numbers of points must be earned in each of the categories (building design features, site design features, and sustainable design features). The minimum number of points by category for each zone is listed in Table 17.202.060.

a. In the RD and CBD zones, the minimum total number of points is 14.

b. In the RN and C zones, the minimum total number of points is eight.

Table 17.202.060 – Architectural Features Design Matrix

Design Criteria	Possible Points		
	0	1	2
Building Design Features (minimum points: RD and CBD = 6, RN and C = 2; possible points = 10)			
1. Weather protection (may include awnings, covered porches, building overhangs, or other weather protection; must extend at least 4 feet in horizontal distance from the building wall and be constructed of durable	No weather protection at entrances or windows	Weather protection provided over the primary building entrance	Weather protection provided over all building entrances and required ground floor window areas

Table 17.202.060 – Architectural Features Design Matrix

Design Criteria	Possible Points		
	0	1	2
materials in order to qualify; see examples in Figure 13 and Figure 14)			
2. Use of natural siding materials (may include natural stone, wood and/or brick; materials designed to imitate natural materials do not qualify)	Little to no use of natural materials (less than 5 percent of street wall area, excluding area dedicated to glazing)	5 to 50 percent of both total building facade area and street wall area covered with natural siding materials (excluding area dedicated to glazing)	Over 50 percent of both total building facade area and street wall area covered with natural siding materials (excluding area dedicated to glazing)
3. Detailed window treatments (may include windows recessed at least 4 inches from facade, trim or moldings at least 3 inches in width, or projecting sills extending at least 2 inches from the window pane; see examples in Figure 15)	No use of detailed window treatments	Use of detailed window treatments on all street wall windows	Use of detailed window treatments on all exterior windows
4. Windows or doors that open onto a pedestrian area (may include “roll-up” doors or windows as shown in Figure 16 or other styles of doors or windows; must open onto a sidewalk, front setback area, or pedestrian plaza; does not include regular building entrances)	No windows/doors that open onto a pedestrian area	One or more windows/doors not located on the street wall that open onto a pedestrian area (such as a pedestrian plaza)	One or more windows/doors located on the street wall that open onto the sidewalk or front setback area
5. Pedestrian-oriented signs (see examples in Figure 17)	Site includes pole signs, roof signs, and/or monument signs that are more than 6 feet tall	Site includes monument signs that are no more than 6 feet tall and/or awning signs, wall	Site uses exclusively awning signs, wall signs, and/or projecting wall signs

Table 17.202.060 – Architectural Features Design Matrix

Design Criteria	Possible Points		
	0	1	2
		signs, or projecting wall signs	
Site Design Features (minimum points: RD and CBD = 5, RN and C = 2; possible points = 12 in RD and CBD zone, 14 in RN and C zone)			
1. Parking location (see also DMC 17.202.060(B))	Some parking located between a street-facing building facade and a public street	All parking located to the side of the building	All parking located behind the building
2. Protected bicycle parking (includes bicycle parking covered by an awning, indoor bicycle storage, and bike lockers; see also DMC 17.304.050)	No protection provided for required bicycle parking	Protection provided for 5% to 25% of required bicycle parking spaces	Protection provided for over 25% of required bicycle parking spaces
3. Benches (must be made from wood, metal, or stone; located within a front setback area; and accessible to the public in order to qualify; see examples in Figure 18)	No benches provided	At least one bench provided per 50 linear feet of street frontage	2 or more benches provided for each 50 linear feet of street frontage
4. Trees	No trees provided on site beyond those required under other sections of this code	Additional trees provided on site beyond those required under other sections of this code	All trees in front yard landscaping identified as preferred trees for downtown Dundee by the city council.
5. Additional landscaped area in the RN and C zones (subject to DMC 17.302.040; not applicable in the RD and CBD zones)	Little or no additional landscaped area provided (less than 5% of gross lot area beyond base requirement)	5% to 10% additional gross lot area landscaped beyond base requirement in DMC 17.302.050.	More than 10% additional gross lot area landscaped beyond base requirement in DMC 17.302.050.

Table 17.202.060 – Architectural Features Design Matrix

Design Criteria	Possible Points		
	0	**1**	**2**
6. Plant selection	2 or fewer distinct plant species included in landscaping	3 or more distinct plant species included in landscaping	5 or more distinct plant species included in landscaping
7. Installation of public art, including decorative bike racks, in primary front yard (approved by city council or designee)	No public art on site	1 point may be assigned for public art that makes a minor contribution to the public realm, as determined by the city council or designee	2 points may be assigned for public art that makes a significant contribution to the public realm, as determined by the city council or designee
Sustainability Features (minimum points: CBD = 1, C = 1; possible points = 14, 18 in RD and RN zones)			
1. Shared parking with adjacent uses (must meet standards of DMC 17.304.040(B))	No shared parking	More than one space but less than half of required parking spaces shared with adjacent uses	More than half of required parking spaces shared with adjacent uses
2. Use of native plants (native species listed in Metro's "Native Plants for Willamette Valley Yards" or a similar resource)	Little or no use of native plants (less than 5% of landscaped area)	5% to 25% of landscaped area covered by native plant species	More than 25% of landscaped area covered by native plant species
3. Stormwater management integrated into site and landscaping (can include rain gardens, bioswales, and similar low impact development techniques; does not include detention	No low impact development measures used on site	Site includes low impact stormwater management measures	

Table 17.202.060 – Architectural Features Design Matrix

Design Criteria	Possible Points		
	0	1	2
ponds; see examples in Figure 19)			
4. Low water irrigation systems	Any permanently installed irrigation systems using potable water do not use drip irrigation or a rain sensor	Any permanently installed irrigation systems using potable water use drip irrigation or a rain sensor	Site uses reclaimed water or rainwater for irrigation
5. Electric vehicle charging station	Site does not include electric vehicle charging station	Site includes at least one electric vehicle charging station	
6. Permeable paving (may include porous concrete, permeable pavers, or other pervious materials as approved by the city engineer)	Little or no use of permeable paving (less than 10% of all paved surfaces)	Permeable paving used on 10% to 50% of all paved surfaces	Permeable paving used on over 50% of all paved surfaces
7. Green roofs for stormwater management (designed in accordance with best practices and approved by the building official; see examples in Figure 20)	Little or no green roof (less than 25% of total roof area)	Green roof covering 25% to 50% of the total roof area	Green roof covering more than 50% of the total roof area
8. LEED certification by the U.S. Green Building Council	Building not LEED certified		Building LEED certified at any level
Additional Sustainability features available for Multifamily Dwellings in RN and RD Zones			
9. Building energy efficiency measures that will reduce energy consumption, including efficient lighting and appliances, efficient hot water systems, solar orientation or	Efficiency measures reduce energy consumption by less than 25 percent based on	Efficiency measures reduce energy consumption by 25-50 percent based on HERS rating for building.	Efficiency measures reduce energy consumption by more than 50 percent based on HERS rating for building.

Table 17.202.060 – Architectural Features Design Matrix

Design Criteria	Possible Points		
	0	1	2
solar water heating, solar photovoltaic panels, geothermal, and offsetting energy consumption with alternative energy.	HERS rating for building.		
10. Forest Stewardship Council certified wood Reclaimed Wood	Less than 25% of wood products are Reclaimed wood	25-50% of wood products are Reclaimed wood	More than 50% of wood products are Reclaimed wood

Total possible points: 36 in CBD zone, 38 in C zone, 40 in RD zone, and 42 in RN zone.

…

17.202.070 Site and building design standards in industrial zones.

The following standards apply to all development in the LI and RP zones that is subject to site design review per Chapter 17.402 DMC, except that buildings within 50 feet of a Parkway Collector in the RP zone are subject to DMC 17.202.060 (A) through (F) and (H).

A. Building Design. The intent of these standards is to create attractive employment areas within Dundee.

1. Architectural variation shall be provided for any wall facing a public street in order to break up the building mass. All walls facing a public street must have at least two of the following features; each feature must comprise at least 10 percent of the wall area.

    a. Contrasting building colors;

    b. Contrasting wall textures;

    c. Changes in building materials;

    d. Any of the following architectural features: awnings; columns; windows; arches; decorative relief, at least one inch in depth; pitched roof; other, as approved by the planning official.

2. Walls facing a public street must be constructed of one or more of the following building materials:

    a. Brick or masonry;

    b. Concrete or concrete block;

c. Wood or wood composite;

d. Architectural metal, provided the metal does not comprise more than 70 percent of the building wall facing the public street;

e. Stucco;

f. Other, as approved by the planning official.

3. The main building entrance shall face a public street.

B. Loading Areas, Outdoor Storage, and Trash Enclosures.

1. Areas used for trash collection or compaction, parking of trucks or trailers, and loading areas shall be located to the rear or side of the main building, to minimize the view of these areas from the public street. Where it is not possible to locate these facilities on a non-street building side, these facilities shall be screened from public view by landscaping or an opaque fence.

a. The planning official may approve a loading area adjacent to the public right-of-way where loading operations are:

i. Short in duration (i.e., less than one hour);

ii. Infrequent (i.e., less than three per day);

iii. Would not obstruct traffic during peak traffic hours (morning and evening);

iv. Would not interfere with emergency response services or pedestrian facilities.

2. Areas used for outdoor storage shall not be located between a front building wall and a public street. Front building walls are defined as being where the main entrance to the building is located. Outdoor storage areas must be screened by an opaque fence or wall.

3. Where a trash enclosure is required, the enclosure shall be composed of an opaque fence or freestanding masonry wall, with a gate. Gates need not be entirely opaque, but must include some elements to help screen the contents of the enclosure from view.

C. Setbacks. Buildings within the industrial zone must be set back a minimum of 10 feet from property lines adjacent to a public street, and 20 feet from property lines adjacent to a residential zone. The area within the required setback adjacent to a public street must be entirely landscaped.

D. Landscaping. Landscaping shall be used to create an attractive streetscape along property frontages. Landscaping within the front setback, between a building and the public street, shall include trees and a mix of shrubs, living groundcover, other appropriate plants, and grass, and may also include benches, sculptures, and stormwater management features such as rain gardens and bioswales. Landscaping used to meet the 10 percent requirement shall be visible from the public right-of-way.

E. Walkway. A walkway shall be provided from the main building entrance to the nearest public sidewalk. The walkway shall be a minimum of five feet wide, and clearly delineated by the use of striping or contrasting paving materials, such as concrete or pavers. The walkway must be ADA compliant.

17.202.080 Residential design standards in the Riverside District Zones.

A. Applicability. The following standards apply to all dwelling units and other residential development within the Riverside District Zones. Nursing home are considered a residential use for the purpose of this section.

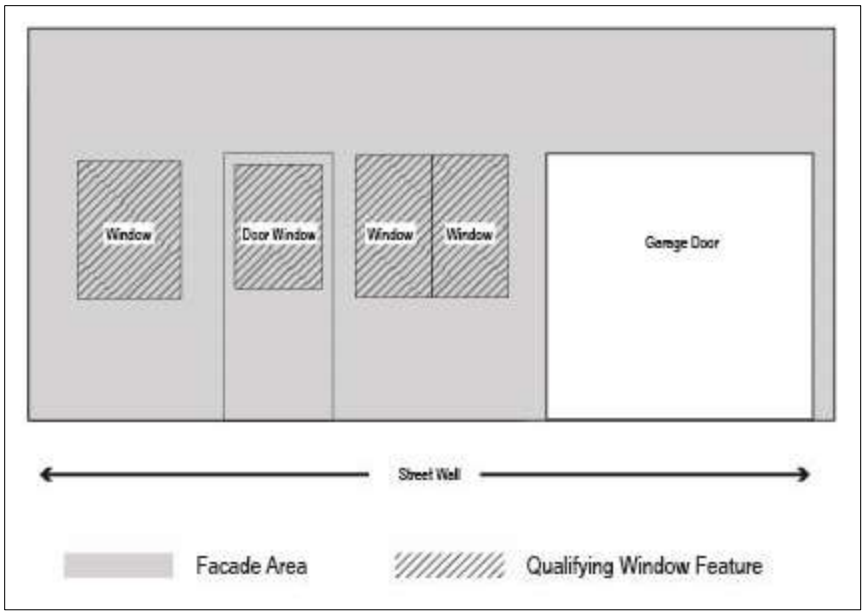
B. Purpose. The requirements are intended to create and maintain neighborhoods that are walkable and pedestrian-friendly; provide natural surveillance of public spaces ("eyes on the street"); ensure human-scale design; and prevent monotony in building design.

C. Entrances. The following standards apply to primary entrances on residential buildings.

1. Single family detached and duplexes: the primary entrance to each dwelling must be located on a street facing façade.
2. Single family attached dwellings, townhouses, compact detached dwellings and multifamily dwellings with individual ground-floor entries: each ground-floor entry must be located on a street-facing façade or face a shared courtyard with an accessway.
3. Multifamily dwellings with no individual ground-floor entries: the primary entrance for each building must be located on a street-facing façade or, if more than one residential building is on the lot, may face a shared courtyard with an accessway.

B. Windows. The following standards apply to all residential building facades which face a street (see Figure 17.202.080.1, below). The standards are not required for facades which only face alleys.

Figure 17.202.080.1. Residential Building Qualifying Window Features



1. Windows must be provided on each street-facing façade such that the area of street-facing windows represents a minimum of 15% of the total area of each street-facing façade.
2. Vehicle entrances to garages are excluded from the street-facing façade requirements and do not count as part of the façade variety.
3. Windows in garage doors are not counted towards the window requirement.

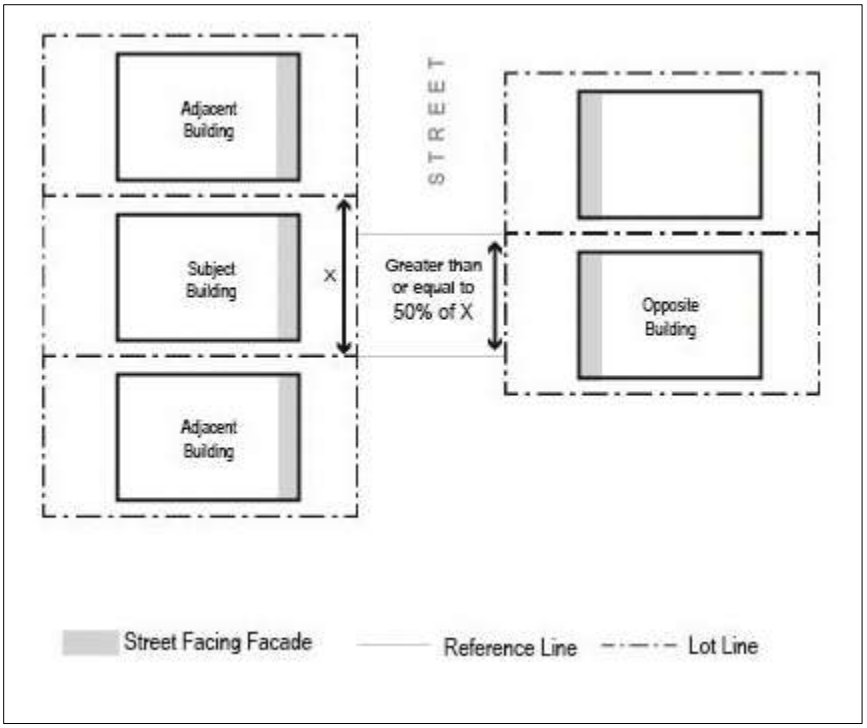
C. Articulation. The following standards apply to all residential building facades which face a street. The standards are not required for facades which only face alleys. All street-facing façades of such buildings must include at least one of the following features:

1. An offset or projection of at least 2 feet that extends horizontally for a minimum of four feet.
2. A covered porch not less than five feet in depth and six feet in width
3. A bay window that projects from the street-facing elevation by a minimum of 18 inches
4. A recessed entrance not less than three feet in depth.

D. Façade variety. The following standards apply to all single family detached residences and duplexes.

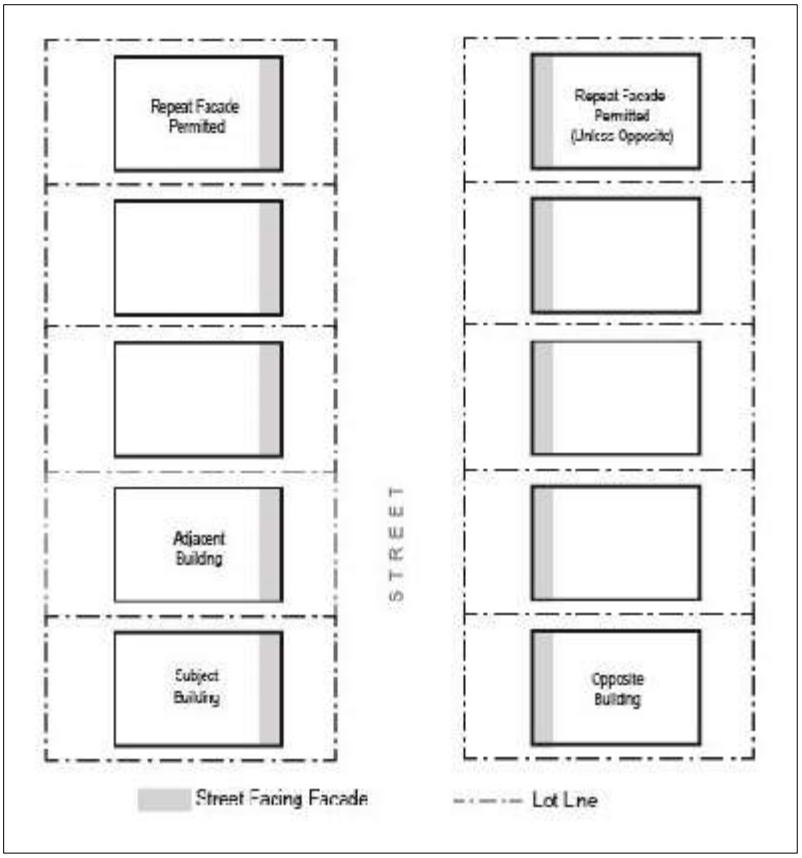
1. All buildings directly adjacent and opposite will be used for comparison in this standard. Opposite is defined as any two dwellings directly across the street from one another whose frontages overlap by 50% or more.

Figure 17.202.080.2. Buildings Which are Considered Adjacent or Opposite to a Subject Building



2. No two directly adjacent or opposite buildings may possess the same street-facing façade. This standard is met when buildings differ from one another based on at least two of the elements listed below. Where facades repeat on the same block face, they must have at least three intervening lots between them that meet the above standard.

Figure 17.202.080.3. Minimum Building Separation for Repeated Facades



a. Window and door locations. The street-facing façades have different placement of windows or doors.

b. Articulation features. The type of feature(s) used to comply with DMC 17.202.080.C.3 are different (e.g. covered porch vs. bay window).

c. Roof type. The buildings use different roof forms (e.g. gable, gambrel, or hip), different orientation (e.g., front-facing versus side-facing gable), or have different roof projections (e.g., with and without dormer or shed).

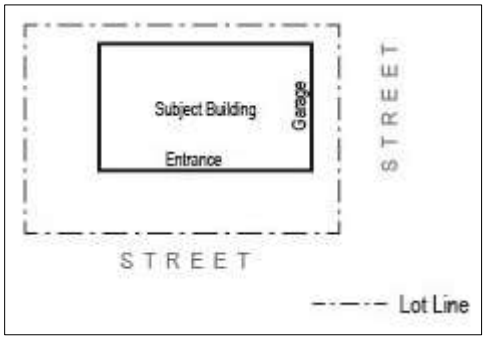
E. Parking Location. The following standards apply to individual and shared garages, parking areas, loading areas, drive aisles, driveways, and all other areas devoted to vehicle storage and circulation in residential buildings.

1. Entrances. The following entrance standards apply to all parking types, including shared parking areas and structures.

a. No garage entrance shall be located closer than 20 feet to a street (other than an alley) except where the City approves a reduced setback and parking in front of garages is restricted (for example, as part of an approval for a hillside development or development adjacent to a natural feature). This shall be approved through a variance process (17.406.040).

b. A garage entrance facing a street (other than an alley) shall not be located closer to an adjacent street than the primary entrance to the building except on corner lots where the primary entrance and garage are located on different sides of the dwelling (see Figure 17.202.080.4).

Figure 17.202.080.4. Example of Corner Lot Garage and Entrance Exception



c. Garage entrances which are located within a garage which is attached to the primary residential structure or in a detached structure which is located in front of the rear façade of the primary residential structure and which is facing towards or within 45 degrees of a street other than an alley must be no taller than the height of the primary structure.

d. Garage entrances which are located within a detached garage which is located behind the rear façade of the primary residential structure may be taller than the height of the primary residential structure.

e. Garage doors wider than 12 feet must have windows along the length of the entire door.

f. The total width of all garage doors facing towards or within 45 degrees of a street other than an alley must not exceed 40% of the width of the total width of the street facing façade of the residential structure, including an attached or detached garage.

g. Where a building abuts an alley the garage entrance(s) shall be oriented to the alley.

2. Shared Parking Areas and Structures. Parking garages, lots, and structures dedicated to the shared use of multiple dwellings shall meet all the following standards:

a. Placement. Parking lots shall be located to the sides and/or back of buildings so that front yard areas can be used for landscaping and other “pedestrian-friendly” amenities.

b. Circulation. Provisions shall be made to provide efficient and adequate on-site circulation without using the public streets as part of the parking lot circulation pattern. Parking areas shall be designed so that vehicles can efficiently enter and exit the public streets with a minimum impact on the functioning of the public street.

F. Sustainable design. In order to limit the impact of larger developments on the natural environment, multifamily dwellings shall incorporate sustainable design features in Section 17.202.080, with a minimum combined score of 5 points.

Table 17.202.080.1. Sustainable Features Matrix

Sustainability Criteria	**Possible Points**		
	0	**1**	**2**
Sustainability Features (minimum points: Multifamily in RR = 5; possible points = 18)			
1. Shared parking with adjacent uses (must meet standards of DMC 17.304.040(B))	No shared parking	More than one space but less than half of required parking spaces shared with adjacent uses	More than half of required parking spaces shared with adjacent uses
2. Use of native plants (native species listed in Metro's "Native Plants for Willamette Valley Yards" or a similar resource)	Little or no use of native plants (less than 5% of landscaped area)	5% to 25% of landscaped area covered by native plant species	More than 25% of landscaped area covered by native plant species
3. Stormwater management integrated into site and landscaping (can include rain gardens, bioswales, and similar low impact development techniques	No vegetated stormwater management facilities used on site	Site includes vegetated stormwater management facilities	-
4 Low water irrigation systems	Any permanently installed irrigation systems using potable water, do not use drip irrigation or a rain sensor	Any permanently installed irrigation systems using potable water, use drip irrigation or a rain sensor	Site uses reclaimed water or rainwater for irrigation
5 Electric vehicle charging station	Site does not include electric vehicle charging station	Site includes at least one electric vehicle charging station	-
6 Permeable paving (may include porous concrete, permeable pavers, or other pervious materials as approved by the city engineer)	Little or no use of permeable paving (less than 10% of all paved surfaces)	Permeable paving used on 10% to 50% of all paved surfaces	Permeable paving used on over 50% of all paved surfaces
7. Green roofs for stormwater management (designed in accordance with best practices and approved by the building official; see examples in Figure 20)	Little or no green roof (less than 25% of total roof area)	Green roof covering 25% to 50% of the total roof area	Green roof covering more than 50% of the total roof area
8. LEED certification by the U.S. Green Building Council	Building not LEED certified	-	Building LEED certified at any level
9. Building energy efficiency measures that will reduce energy consumption, including efficient lighting and	Efficiency measures reduce energy consumption by less	Efficiency measures reduce energy consumption by 25-	Efficiency measures reduce energy consumption by more than

Table 17.202.080.1. Sustainable Features Matrix

Sustainability Criteria	Possible Points		
	0	1	2
appliances, efficient hot water systems, solar orientation or solar water heating, solar photovoltaic panels, geothermal, and offsetting energy consumption with alternative energy.	than 25 percent based on HERS rating for building.	50 percent based on HERS rating for building.	50 percent based on HERS rating for building.
10. Forest Stewardship Council certified wood Reclaimed Wood	Less than 25% of wood products are Reclaimed wood	25-50% of wood products are Reclaimed wood	More than 50% of wood products are Reclaimed wood

G. Height bonus. To encourage improved amenities, affordable housing and green building, the maximum height of a multi-family development in this zone may be increased by 10 feet, provided that one of the following standards is met. In addition to meeting one of the listed standards, the building shall follow the setback standards of R-3.

1. The building is certified as meeting the LEED silver standard or equivalent
2. At least 25% of the total dwelling units within the subject development are affordable to households at 80% median family income for a period of at least 20 years.
3. Recreational Area in Multi-family Residential and Mixed Use Developments.

    a. The Recreational Area requirement is intended to provide adequate recreational amenities for occupants of multiple family developments and mixed use developments where the majority of the developed square footage is to be in residential use.
    b. Recreational Area is defined as the common area of all lawns, community gardens, play lots, plazas, court yards, interior and exterior swimming pools, ball courts, tennis courts, exercise rooms, health and exercise facilities, libraries, internet/electronic media rooms, pet play and wash areas, decks and other similar areas for common recreational uses. Recreational Area may include parks required under the Area Master Plan, and any usable park areas not shown in such plan. Private areas under this definition, defined as those areas that are accessible only by a single owner or tenant, or commercial or retail recreation facilities serving the general public, shall not constitute or contribute to the measurement of Recreational Area.
    c. A variety of age appropriate facilities shall be included in the mix of Recreational Area facilities.
    d. Recreational Area shall be at least 195 square feet per residential unit.

CHAPTER 17.203 SPECIAL USE STANDARDS

17.203.060 Retail small-scale winery, brewery, or distillery ~~in a commercial zone~~.

Retail small-scale wineries, breweries, or distilleries are allowed in the RN, RD, RP, C and CBD zones, provided all of the following are met:

17.203.070 Drive-through service and walk-up service windows.

B. Drive-Through Service. Drive-through service shall not be permitted within the RN, RD, RP or CBD zone. In other zones where allowed, a building providing drive-through service shall be subject to all of the following standards:

17.203.080 Two-family (duplex) dwellings.

Duplexes shall comply with all of the following requirements:

A. Applicability. Duplexes within the Riverside District shall follow the residential design standards under code 17.202.080.

~~A.~~ B. Distribution. In the R-2 zone, not more than three duplexes shall be located on any two contiguous blocks.

~~B~~. C. Orientation. Every duplex shall be designed with its primary entrance oriented to an adjacent street, or where it is impractical to orient a primary entrance to a street, the surface area of the building elevation facing the street shall be comprised of not less than 20 percent windows. The planning official may waive this standard where a proposed duplex is not located adjacent to a street but is oriented to an open space or common area; provided, that any elevation facing a street shall meet the foregoing standard for windows.

~~C~~. D. Materials. Duplexes shall have exterior materials (siding, roofing, windows and trim) that are the same as or similar to the materials used on adjacent single-family dwellings, except that the planning official may waive this standard where the materials used on adjacent single-family dwellings are of inferior quality to those the applicant proposes. [Ord. 521-2013 § 3 (Exh. A)].

17.203.150 Small-scale manufacturing ~~in the community commercial zone~~.

A. Purpose. The following standards, which restrict or limit the size of some manufacturing uses, are intended to promote compatibility between small-scale manufacturing in commercial zones and adjacent commercial and residential uses. By controlling the form of development, the most objectionable impacts, such as odor, dust, smoke, cinders, fumes, noise, glare, heat, vibration, and others, can be avoided. The standards do not apply to zones where manufacturing uses are permitted outright. A retail small-scale winery, brewery, or distillery is subject to DMC 17.203.060 and is not subject to this section.

17.203.220 Small-scale amusement and recreation facilities ~~in commercial zones~~.

A. Purpose. The purpose of these standards is to allow small-scale amusement and recreation facilities that enliven ~~the~~ business districts ~~in commercial zones~~ while requiring additional review of large-scale amusement and recreation facilities to ensure their impacts are appropriately managed.

B. Applicability. These standards apply to amusement and recreation facilities ~~in commercial zones~~ that are conducted wholly within an enclosed building and occupy no more than 10,000 square feet of gross floor area. All other amusement and recreation facilities ~~in commercial zones~~ require review of a conditional use permit under Chapter 17.404 DMC.

17.203.230 Personal storage in the community commercial zone.

A. Purpose. The purpose of these standards is to limit the scale of personal storage facilities in the C and RN zones in order to maintain a more pedestrian-friendly environment and avoid large-scale uses that generate little activity or employment in the C and RN zones.

B. Applicability. These standards apply to all new personal storage facilities located in the C and RN zones and to expansions of existing personal storage facilities located in the C and RN zones.

C. Standards.

1. Storage facilities shall be fully enclosed within a building.

2. Total ground floor building footprint shall be no greater than 20,000 square feet of gross floor area.

3. Access to individual storage units shall be provided from the interior of the building only.

4. Existing buildings containing exclusively personal storage units that are accessed from the exterior of the building shall not be subject to the standards of DMC 17.202.060; however, a site with existing buildings containing exclusively personal storage units that are accessed from the exterior of the building shall also include Pan office or administrative building that meets the standards of DMC 17.202.060. [Ord. 534-2014 § 1 (Exh. A)].

17.203.280 Residential Development in Riverside Mixed Use Zones.

A. Purpose. The following standards are intended to ensure that Riverside Mixed Use Zones are developed with a mix of uses, including commercial or other non-residential uses, consistent with the Riverside District Master Plan.

B. Applicability. These standards apply to all residential uses except dwellings above ground floor commercial. Nursing homes are considered a residential use for purposes of this section.

C. Standards.

1. No more than 75 percent of the net area designated as Riverside Mixed Use Zones (RN and RD) in a master plan and designated RD or RN zones, shall be developed with residential-only uses, i.e., no commercial, retail or industrial component.

2. Dwellings above ground floor commercial can count towards the required 25 percent of the building site to be developed with non-residential uses; however, live/work dwellings can only account for half of the required non-residential development.

3. Net area for the purposes of this standard shall be calculated as the area of land after deducting for future streets, parks and protected natural resources.

CHAPTER 17.204 OVERLAY ZONES

17.204.060 Riverside District overlay (RD).

A. Purpose. The purpose of this section is to ensure coordinated development within the Riverside District. The provisions of this section accommodate the needs of property owners to begin long range planning for their property and ensure that future development will be consistent with the Riverside District Master Plan and other City policies, requirements and needs. These regulations are necessary to:

1. Provide uniform procedures and standards for the future subdivision, partition and development of land,
2. Provide the proper construction and arrangement of space,
3. Assure adequate sanitation and water supply,
4. Assure adequate transportation mobility, connectivity, safety and access for all travel modes,
5. Provide flexibility in design and development in a manner that does not overwhelm public services,
6. Provide for orderly development and conservation of land,
7. Protect the general health, safety and welfare and
8. Implement the Comprehensive Plan of the City of Dundee.

B. Applicability. The following Site Development Master Plan (SDMP) provisions apply to all land within the Riverside District Overlay zone. Subdivisions and partitions of land and associated land use applications proposed after approval of a Master Plan Development are subject to subsection G (Consistency) and H (Modifications), provided a Master Plan has been previously approved for the subject site.

C. Application Procedure. Prior to approval of any application for land division or development within a given subarea of the Riverside District Overlay, a Site Development Master Plan for the subject subarea must have been submitted and approved. Site Development Master Plans in the Riverside District Overlay are reviewed as a Type III (Planning Commission) decision. The City shall approve, approve with conditions, or deny a Site Development Master Plan.

1. Master Plan Subarea Coverage. The Site Development Master Plan must cover, at a minimum, all lots within at least one subarea identified on Riverside District Master Plan Figure 2. Site Development Master Plans may cover multiple subareas.

2. Owners of 90 percent of total acreage included in the Site Development Master Plan must sign the Site Development Master Plan application and thereby agree to all requirements associated with preparation, approval and implementation of the Site Development Master Plan. The Dundee City Council may approve submittal of a Site Development Master Plan that applies to less than 90%, but no less than 50% of the area within the subject Riverside District sub-area.

3. A site development master plan may be submitted concurrently with an application for development or land division or with a concurrent quasi-judicial zoning map amendment.

D. Site Development Master Plans Submittal Requirements. Applications must include the following information in addition to information required by DMC 17.401.040 for Type III applications. The Site Development Master Plan must include all of the following components:

1. General Information, including names, addresses, telephone numbers, and signatures from all owners within the Site Development Master Plan area per subsection C2.

2. Boundaries of areas within Site Development Master Plan.

3. General description. An overall description of the plan, including both written and graphic elements, existing, proposed, and possible development and uses, height and massing of development, phasing of development, applicable review procedures for each development or phase, and what standards, guidelines, and approval criteria will be used to evaluate each development or phase.

4. Preliminary layout and sizing of infrastructure and public facilities (see subsection F). Site plans, showing the location, size, and dimensions of existing and proposed structures, including the pedestrian, bicycle, and vehicle circulation system; rights-of-way proposed for dedication or vacation; water, wastewater and stormwater infrastructure improvements; stormwater management plan; and any proposed temporary uses during construction and phasing of development.

5. Proposed location, size, boundaries and alignment of trails, open space and park land (if any), and areas subject to natural resource preservation requirements.

6. Uses and activities. Proposed uses within areas, including all areas proposed to be dedicated as public right-of-way or reserved as open space for the purpose of surface water management,

recreation, residential and non-residential use. The description must include information as to the general amount and type of all uses.

7. Phasing of development. The plan must include the proposed development phases, probable sequence for proposed infrastructure and development, and estimated dates. Phasing must be consistent with subsection D9 of this section.

8. Housing Mix and Capacity Estimates: For all residential areas, the following estimates must be included in the Site Development Master Plan:

   a. A graphic demonstration showing the different housing types for each residential area. Materials must include a detailed map of each area, including housing types proposed.

   b. An estimate of gross and net developable acres within each area devoted to a specific mix of housing types, based on proposed local street layout; areas identified for non-residential uses, parks and trails; and areas subject to natural resource protections.

   c. A calculation estimating the minimum and maximum number of units that are proposed to be built in each area based on allowed density ranges for each housing type and net developable acres identified for each housing type.

      i. For single family detached housing, the density calculation shall be based on the minimum and maximum allowable density as defined in Section 17.204.060.F.

      ii. For other housing types, the density calculation shall be based on the proposed number of units divided by the net developable area allocated to those units.

      iii. For all units, the overall average density calculation will be based on the total number of all units divided by the net developable acres of land proposed for residential development.

9. Proposed phasing of development shall be specified. The phasing must be proposed for at least 5 years and up to 10 years. An approved Site Development Master Plan remains in effect for 10 years, unless the plan is modified or updated. When the plan is modified or updated, the application must include a discussion of when the next update will be required. Modifications and updates must address each of the submittal requirements above.

E. Riverfront Residential (RR) Zone Housing Mix Requirements. The Site Development Master Plan must identify at least two different housing types in each area devoted to a specific mix of housing types zoned Riverfront Residential (RR).

1. The following are considered distinct housing types for purposes of meeting this standard:

   a. Single family detached dwellings (with or without an accessory dwelling units) or residential care home

   b. Duplexes or single family attached dwellings in which both dwelling units are at least 800 square feet or are of equal size

c. Townhouse or Compact Detached dwellings

d. Multifamily dwellings or residential care facility

e. Manufactured dwelling park

2. If including townhouse dwellings, compact detached dwellings, multifamily dwellings or residential care facilities in subdivision: a minimum of 6 units of that housing type must be provided.

3. If including duplexes or single family attached dwellings in a subdivision, at least 25 percent of the corner lots within the subdivision that includes these housing types, or an equivalent number of lots, must be designated on the Master Plan for duplexes or single family attached dwellings and shall be recorded on a subdivision plat as such at the time of subdivision plan submittal.
4. The Site Development Master Plan must not identify areas abutting existing single family detached dwellings outside the Riverside District Overlay for housing types other than single family detached dwellings or residential care homes.

F. Density Requirements. Each Site Development Master Plan must demonstrate that the overall average density of proposed housing development within each subarea will be between 8 and 11 units per net acre, with the following exception.

1. A master plan may be submitted with a lower housing density within a subarea if the applicant simultaneously submits a Site Development Master Plan for another subarea within the Riverside District that exceeds a housing density of 11 units per acre, provided the combined and averaged area density of the two subareas still averages between 8 and 11 units per net acre.

G. All standards of Chapters 17.301 and 17.305 apply, except that:

1. Private streets will be permitted only for alleys with public access. All other streets within the Riverside District Overlay must be public streets.[1]

2. In commercial and mixed use areas, except as restricted on collector and arterial streets, a street or driveway intersection providing multi-modal connectivity and circulation for pedestrians, bicyclists, and automobiles shall occur not less than once for every 400 linear feet of street frontage, measured from street right-of-way line to street right-of-way line.

H. Each Site Development Master Plan that includes residential development must provide for land for neighborhood parks which meets the following requirements.

1. The amount of land in acres dedicated for a park shall equal at least the following calculation: (2.9 persons per dwelling units) x (total number of dwelling units proposed in the subarea) x (2.5 acres) / (1,000 persons).

[1] This supersedes the allowances for private streets in 17.301.020(K).

2. Prior to approval of the dedication of land for a neighborhood park, the developer must submit a Phase I Environmental Site Assessment to demonstrate that the land is free of any environmental contamination.

3. The entire acreage must be dedicated to the City of Dundee prior to approval of the final plat or development approval for the first phase of development.

4. Neighborhood park sites proposed for dedication must meet the following criteria.

   a. At least two (2) acres in size with an average depth of not more than two times the average width.

   b. Adjacent to at least two streets that will have residential or non-residential development on the other side.

   c. Not within 200 feet of the right-of-way for the Newberg-Dundee Bypass.

   d. Contain a contiguous area representing at least 80% of the required minimum size that is free of slopes in excess of 5% and no slopes in excess of 15%. Wetlands, stream corridors, or designated wildlife habitat areas or established buffers located within the proposed park site shall not count toward the required minimum size.

   e. Located within a one quarter-mile of all planned residential areas within the Site Development Master Plan area.

   f. Interconnected by a public trail system unless separated by a state highway.

I. Shared Use Paths must meet the following criteria.

   a. Provided in compliance with Figure 17.204.060.1 by the following:

      i. Connecting parks in the Riverside Master Plan Subarea C underneath the Newberg-Dundee Bypass to the North South Parkway;

      ii. Connecting SW 6th Avenue with the existing SW 8th Street bicycle and pedestrian facilities that cross over the Dundee-Newberg Bypass.

      iii. Connecting parks in the Riverside Master Plan Subareas D, E, and F and located within or adjacent to the “Green Seam” identified in Figure 1 of the Riverside Master Plan.

   b. Provide public access points at intervals no greater than 500 feet.

   c. Located within land areas or public easements dedicated to the City of Dundee with a minimum width of 20 feet. Maximum cross-slope within the easement cannot exceed 12%.

   d. Must meet all applicable federal and state accessibility standards.

e. Paths through protected natural resource areas must obtain all necessary approvals and meet all applicable development standards.

J. Prior to approval of a Site Development Master Plan for a District Sub-Area, the applicant must enter into a Development Agreement with the City of Dundee that specifies how all needed and required public facility improvements for water, wastewater, stormwater, transportation and parks will be constructed and funded.

K. Consistency Requirements. Once a Site Development Master Plan is approved, all future land divisions and development within its boundaries must be consistent with the approved Site Development Master Plan, unless a modification is approved. If the land division or development application is not consistent, a modification must be approved prior to the application being considered. Land division or Development applications may be submitted concurrently with the modification application.

1. Consistency shall be defined as:

a. A change of no more than ten (10) percent of any quantifiable matter, requirement, or performance measure, as specified in subsection E, or F, above, excluding park size, overall density requirements, and housing type and quantity, and

2. The following factors must be consistent with the Master Plan:

a. Housing type and quantity. Changes to planned housing type do not affect more than 20% of the total area designated for a certain housing type (e.g. if 3 acres of land are designated for multifamily housing, then 0.6 acres may be changed to a different housing type).

b. Residential density. Density is within the required range, as defined within section 17.204.060.F of the DMC.

c. Non-residential use. Proposed non-residential uses are located in the area(s) identified in the master plan for non-residential use.

d. Local street layout. The following must apply.

i. Local street alignments are within 150 feet of the alignments shown in the Master Plan.

ii. The number of local street connections is no less than 90% of the number of connections shown in the Master Plan.

e. Trail alignment. Trail alignments must be adjacent to the same lots or roadway shown in the Master Plan.

f. Infrastructure alignment and sizing. Alignments and connections of proposed facilities are adjacent to the same streets as shown in the Master Plan; and sizing of proposed water, sanitary sewer, and storm drainage must provide adequate capacity to serve proposed uses in the area as determined by the City Engineer.

g. Neighborhood park location. Neighborhood Parks must be located within one-quarter mile of the locations shown in the Master Plan and must continue to meet the locational criteria established in subsection (H) of this section of the DMC.

h. Phasing. The sequence of each phase must be the same sequence as that which was listed in the Master Plan for each area; or the applicant can demonstrate that changes in phasing do not affect the timing of infrastructure improvements.

L. Modifications of an Approved Site Development Master Plan. Modifications will be reviewed as a Type III Application. Modifications include the following.

1. Any changes which are not consistent with the Master Plan as described in Section (I) of this section of the DMC.

2. Changing an area from a non-residential use to residential use or vice-versa.

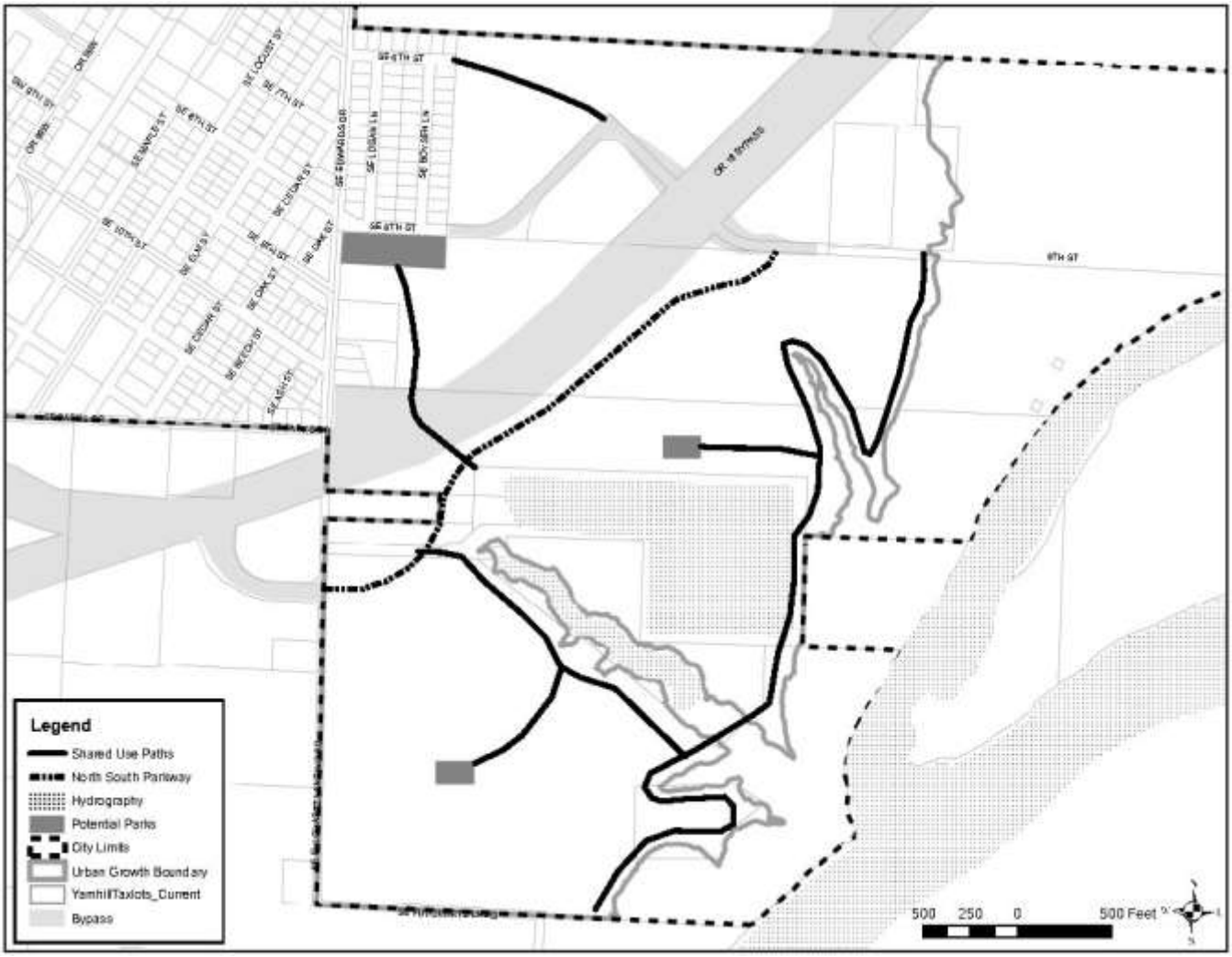
M. Subdivision, land divisions, and development of land within the Riverside District Overlay zone must meet the following minimum density requirements to ensure that detached dwellings within a given subarea achieve the minimum target density of eight (8) units per acre.

a. Subdivisions in areas identified for single family detached dwellings in an approved Master Plan, including those with lots designated for duplex or single family attached dwellings: the average lot size for all single family detached dwelling lots in the subdivision shall not exceed 6,000 square feet. For example, a subdivision of 30 lots all intended for single family detached dwellings may have lot sizes ranging from 4,000 square feet to 12,000 square feet, provided that the average size across all 30 lots is no more than 6,000 square feet.

b. Individual lots may be as small as the minimum lot size in the RR zone (4,000 square feet for single family detached dwellings), and there is no maximum size for an individual lot.

c. Lots and tracts reserved for non-residential uses, parks, trails, protected natural resources, and other housing types are not included in the calculation of average lot size.

Figure 17.204.060.1 Shared Use Paths Map



CHAPTER 17.501 DEFINITIONS

"Street-facing façade" means all the walls or portions of walls of a building that face towards or within 45 degrees of a given street (excluding alleys) and are not separated from the street by another building wall.

"Dwelling, live/work" means a dwelling unit in which a portion of the unit is designed for a non-residential use. The space designed for non-residential use is internally connected to the dwelling unit without passing through a common area shared by other units or businesses and is generally located on the ground floor. The non-residential use is operated by the same household that occupies the dwelling unit, but need not meet the definition of a home business.

"Dwelling, Compact Detached" means a single family detached dwelling unit on a lot less than 4,000 square feet, subject to special standards in the Riverside Residential zone. Lots meeting this size definition will be allowed in other zones where single family residential dwellings are allowed if they can meet the base standards or criteria for adjustments or variances in those zones.

"Drive Aisles" means a vehicle passageway located within an area used for the parking or storage of 3 or more vehicles.

"Street Frontage" see "Lot Frontage"

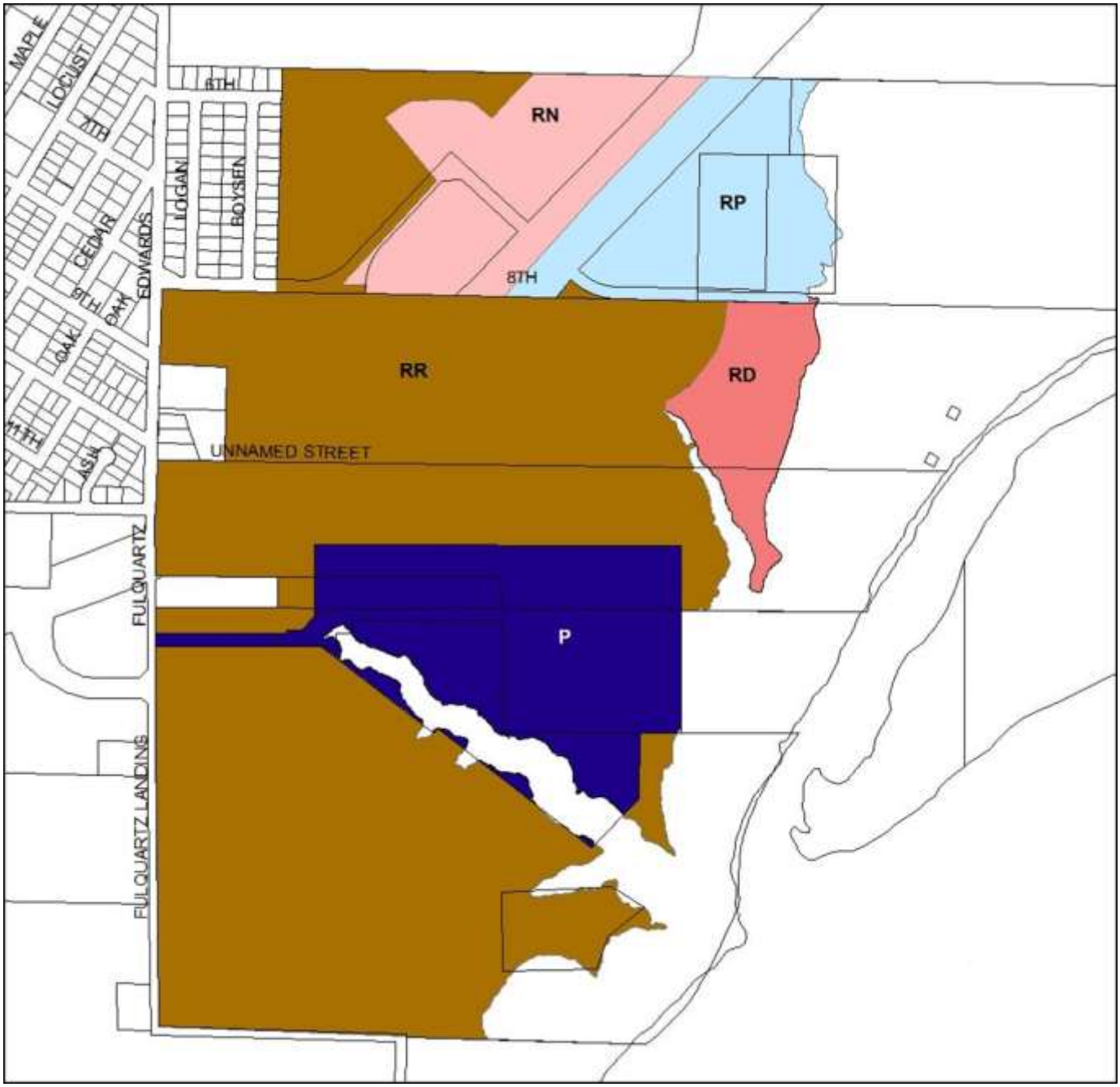



Exhibit B – Proposed Zoning Map