

CITY OF DUNDEE
PLANNING COMMISSION AGENDA
P.O. Box 220
620 SW 5th Street
Dundee, Oregon 97115

MEETING WILL BE TELECONFERENCED

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Meeting ID: 827 9094 4415

MEETING DATE: August 19, 2020
Meeting Time: 7:00pm

- I.** Call Meeting to Order
- II.** Public Comment
- III.** Approval of Minutes
- July 1, 2020
- IV.** Riverside District Code Review with Doug Rux
- V.** Issues from Planning Commissioners
- VI.** Adjournment

CITY OF DUNDEE

Meeting: Planning Commission Meeting

Location: Meeting was held virtually via Zoom.
City Council Meeting Chambers
620 S.W. 5th Street
Dundee, Oregon 97115

Date: July 1, 2020

Time: 7:00 p.m.

I. Meeting called to order.

Chairman Howland called the meeting to order. Commissioners present, which consisted of quorum, were Shannon Howland, Maria Hinoveanu, David Hinson, Doug Pugsley, Eugene Gilden, James Kay, and Ed Carlisle. Interim City Planner Jim Jacks was also present. Attorney Tim Ramis joined later.

Members of the audience included Mike Connors and Tammy Hamilton, representing the applicant; Susan Baird, Camille Kern, Rebecca Minifie, and Evan Karp of Wine Country Legacy Partners were also in attendance.

II. Public Comment

There was no public comment.

VI. Approval of Minutes from Previous Meeting(s)

It was moved and seconded to approve the June 17, 2020 minutes. Motion carries, unanimously.

V. Public Hearing

CU/SDR 20-06 – Acom Communications (on behalf of Verizon Wireless) continued from 6-17-20

Chairman Howland read the statements in to record and read the list of persons having requested to testify during the public hearing.

1. Declarations of Ex-Parte, Bias, or Conflict of Interest

Chairman Howland questioned the Commissioners about ex-parte, bias, or conflict of interest.

Commissioner Carlisle reminded the Commission that he had declared a conflict of interest previously and would continue to abstain from the hearing.

There were no objections to jurisdiction.

2. Staff Report

Interim Planner Jim Jacks introduced himself, read the legal statements into record, and then provided a summary of the July 1, 2020 staff report with the Commissioners and audience.

There were no questions of the Commission to staff.

3. Public Testimony – Applicant

Chairman Howland asked the applicant if he had any new information to submit, or if he would be comfortable saving his comments for proponent rebuttal.

Mike Connors stated that they had submitted a letter dated June 29 with attachments that responded to some of the comments made prior to and during the June 17 hearing. He confirmed with the Chairman that they would be able to save most comments to rebuttal, but that there was some new information to highlight. Mr. Connors noted an updated noise study that was submitted. He stated that the previous report included some ambiguous language that they had wanted clarified; also, he noted a noise barrier would be part of the design and they wanted that included in the report. He stated that the new noise study demonstrated that, with the elimination of the generator and the addition of the noise barrier, the noise level would comply with daytime and nighttime standards. The second piece of information had to do with the distance from residentially zoned property. He stated that they had a surveyor come out and, out of an abundance of caution, he measured the distance from the tower to the closest residentially zoned property and it was 328-feet.

Chairman Howland clarified that the information Mr. Connors had just mentioned were noted in the June 29 rebuttal letter. Mr. Connors affirmed.

There were no additional requests of proponents to testify.

4. Public Testimony – Opponents

Chairman Howland opened the floor to opponent testimony.

Susan Baird asked the Commissioners to deny the application based on the following reasons—1) aesthetics considerations, 2) the proposal violates the purpose statement of the public zone, 3) the noise would violate the daytime and nighttime requirements, 4) citizen involvement, and the large outcry of the public requesting the denial.

Camille Kern stated that she had just moved to Dundee and chose Dundee due to health considerations having to do with cell towers. They had purposely chosen a home that would be at least a mile from any cell tower. She was also worried about property values and aesthetic considerations as well, however, her main concern had to do with health and safety of the people living and working nearby. She concluded by noting various studies on wireless radiation and possible health impacts.

Rebecca Minifie testified next. She thanked the Commissioners for their diligence in reading all the material, and stated objection to Verizon having sent an attorney to represent them. She stated a

belief that he was sent to dictate and intimidate the Commission into a belief of what Dundee's Development Code meant and requested that the Commission look past the "bullying" tactics of Verizon. Ms. Minifie noted that the Commission also needed to consider the testimony of the citizens and business owners who were against the tower.

Saj Jivanjee had requested to testify, however he did not appear to have logged in to the meeting. After many requests to have him identify himself, the Chairman moved on to the next person.

Evan Karp with Wine Country Legacy Partners spoke and thanked the Commission for continuing the hearing so that additional people could comment. He stated that he concurred with Ms. Baird's comments regarding taking aesthetic considerations into account. He reminded the Commission that they were "fully empowered" to deny based on aesthetic considerations. Next, he noted agreement with Mr. Jivanjee's concerns of seismic risk and setbacks. He felt the applicant had not proven that the tower would withstand a seismic event; and they think setbacks should be increased given the height of the tower. Mr. Karp stated that he believed there was a conflict of interest regarding the city reviewing the application; disappointment with the city following the minimum legal standards for notice; shock at the city failing to notice Verizon that their application was incomplete; and, that the lease between Verizon and the City was signed prior to Verizon submitting their application. He closed by stating that they strongly opposed the cell tower.

5. Proponent Rebuttal

Mike Connors responded to the testimony heard that evening. He stated that the Dundee Development code defines a wireless communications facility/tower as a public use, and the public zone is predominately intended for public and institutional uses. The code also allows the tower as a special use. Most of the other zones require a conditional use regardless of the height, here it is only required because of its height. He stated that the purpose statement is meant as a goal, and respectfully disagreed there was anything in the purpose statement that would make it approval criteria.

Mr. Connors also talked about property values, and reiterated reasons given by case law that this could not be used as a criterion. Regarding the noise study, the study is very clear that they comply with the daytime and nighttime criteria (53 decibels). With respect to aesthetics, the code does not state that it needs to meet any specific aesthetic, the code states that measures need to be taken to mitigate and/or minimize impact. He believed that, due to the failure of anyone to offer any reasons that they fail to meet the aesthetics, the code dictated that they satisfy the criteria. He noted that the cell tower was not the only utility use that would have aesthetic impact. Based on the definition being used, the argument could be made that none of the utility poles would comply. There were already utility uses there that had impacts, and while the tower would have an impact, they would be minimized by the mitigation they are taking. He believed that Verizon had gone above and beyond to minimize the impact.

He addressed emissions and noted once again that Federal Law prohibited this as criteria. He noted that they would have to comply with building codes to ensure that the structure would have integrity to withstand a seismic event. Mr. Connors addressed Mr. Karp's statement regarding conflict of interest and the City having entered into a lease with Verizon. He stated that cities throughout the state and country have development on property they own and frequently enter into leases and go through similar processes. There is code that dictates the process, and no "behind

the scenes” shenanigans are taking place simply because a city is following code to process an application.

Regarding the statewide goal concerning citizen input, he noted that when people are opposed to something they show up, however people who are for an application tend to not be vocal.

He responded to the comment about him trying to intimidate the Commission into a belief and stated that he hoped the Commission did not feel that way. He was involved because applications like this often trigger legal issues and it was helpful to have him involved. He also noted that he wasn't trying to push the commission into a belief, and that city staff agreed that the application met the criteria and had offered reasons for that.

He concluded by stating that they hoped the Commission would evaluate the code and criteria and approve the proposal.

Chairman Howland asked whether the Commission had any clarifying questions. Commissioner Hinson asked if there would be a light on the tower. Both Mr. Connors and Ms. Hamilton responded no. Commissioner Hinson asked if there would be microwaves on the antenna. Mr. Connors stated that there would be some microwave antennas, but that there would not be 5G. This would only be 3G and 4G. Commissioner Hinson asked if Verizon had considered any other sites in town. Mr. Connors responded that they had reviewed the AT&T tower and that it had not met the criteria. There were other properties in the search ring, but they were all in the CBD zone. Commissioner Hinson asked about Mr. Jivanjee contacting Verizon to offer his property. Mr. Connors responded that they had looked at the property, but it was both outside the search ring and much closer to residential property.

Chairman Howland moved on to closing legal statements. Planner Jacks reminded the Commission that they needed to base their decision on the criteria, and then talked a bit about process once a decision had been made. He concluded by stating that the staff recommendation was to approve the conditional use and site design request. He stated that the staff report included criteria for the approval, however if the Planning Commission chose to deny the application they would need to provide statements so that the findings could be changed to explain why the criteria was not met.

Chairman Howland asked if the Commissioners had any clarifying questions of staff. Commissioner Hinoveanu asked a question about process, which Planner Jacks answered. Chairman Howland then closed the public hearing.

6. Deliberation

Chairman Howland began deliberation by stating that she agreed to certain aspects that were brought up in testimony and the application—that they were unable to deliberate emissions, health, or property value. However, she wanted to open up discussion regarding aesthetics and whether this criteria had been met.

Commissioner Pugsley stated that he felt they did not meet the aesthetic criteria. For the proposed location, he felt that the mitigation efforts did not work. Chairman Howland stated that she had not seen a monopine in person, so she was not sure whether it was met, however the photos submitted as part of the application made it difficult to see what the monopine would truly look like. Further,

she felt that it was not up to the Commission to figure out how to make the tower work or not work, but the aesthetics did seem to be a concern.

Commissioner Gilden stated that he agreed with Commissioner Pugsley, and that though aesthetics were largely a subjective point of view, he felt that the extraordinary weight of public testimony fell on the side of the tower being un-aesthetic.

Commissioner Kay also stated agreement with the view that the tower did not meet the aesthetic criteria, and that the tower would not beautify the downtown. He felt that, even though the tower was needed, the proposed location was not the best location for Dundee. Commissioner Pugsley responded that he was not using the necessity for coverage as one of his criteria for denial, but he found it interesting that there was no citizen or business owner testimony stating that the tower was necessary. Commissioner Kay replied that he did consulting, and in his job function he was aware of a drop in calls and conference calls. Additionally, with COVID-19 more people are at home using cell service, so he could see the need; however, he did not think it needed to be in the middle of downtown. Chairman Howland did state that she believed there was written testimony both stating a need and stating that there wasn't a need. Planner Jacks also noted a letter that was received claiming a need. Commissioner Gilden stated that, since there was no address on the letter, he didn't know if the tower would help that person because they didn't know whether the person lived in the zone that would be improved. Commissioner Pugsley reiterated that he did not plan to use coverage as part of his reasoning and apologized for sidetracking the Commission.

Commissioner Hinoveanu also stated that she did not believe the aesthetic issue had been mitigated. There was brief discussion regarding Mr. Connor's statement about the city going through the process of developing the fire station and what the meaning of the statement had been.

Commissioner Hinson stated that taking in account the position of the tower and the bulk of the monopine the tower would stand out.

Chairman Howland brought up the criteria for placing a wireless tower for discussion during deliberation and read the criteria into record. She felt that the application had addressed most of the criteria, but that she felt "visual analysis and impact" had not been sufficiently addressed. Commissioner Pugsley agreed, and stated that he believed they had failed in their mitigation for that particular site.

Planner Jacks stated that it appeared the Commission was leading toward a motion to deny and that for a proper finding the "why" needed to be addressed. The Commission needed to explain why the applicant's proposal did not meet the aesthetics issue. Commissioner Gilden stated that this was a very difficult thing to do and did not believe that the Commission needed to give explanation since the criteria was subjective. Just as Mr. Connors had stated that "he *believed* Verizon met", the Planning Commission "*believed*" differently. Additionally, he felt the mass of the tower was grossly out of scale with regard to everything around it. There was much testimony about the mitigation done for the part of the tower on the ground that no one would be able to see, but that there wasn't anything done for the part people would. Planner Jacks asked, if the tree portion was the issue, what about the tree was not aesthetic. Commissioner Gilden replied that whether the tower would look like a tree was in the eye of the beholder and that there was no guarantee that Verizon would try to make it look like a tree. Commissioner Pugsley stated that yes, Verizon is trying to make it look like a tree and while it may work in an area with other trees this was an area where no other

trees were nearby. He also believed that the overwhelming testimony from the public that this did not meet the aesthetic criteria could be used as a reason too. Commissioner Hinoveanu agreed with Commissioner Pugsley's statement, that the monopine did not match the surrounding area.

Chairman Howland stated that she did not believe it was the Planning Commission's duty to find a solution, however she wondered if the Commissioners would want to consider adding on conditions of approval that might allow the tower to meet the criteria. Planner Jacks asked the Commission to expand on the aesthetics issue by separating location, as it seemed location was being substituted for aesthetics. In other words, if the tower were in a different location would it meet the aesthetics criteria. Commissioner Gilden responded that this was difficult to do since there was no way to see what the hypothetical surroundings looked like. He also believed that if conditions were put on the proposal, they may be preventing Verizon from crafting a solution.

It was moved to deny the application based on criteria 17.404.030 - the location of the bulk does not mitigate sufficiently to meet the aesthetic consideration. Seconded.

Chairman Howland asked if the motion should be amended to include criteria 17.203.170(c).3. Commissioner Pugsley said he would be happy to add it but did not feel it was necessary.

Motion carries unanimously with Commissioner Carlisle abstaining.

Chairman Howland asked Attorney Ramis to weigh in on anything the Commission may have missed. Attorney Ramis responded that he believed he had done everything needed.

VI. Planning Issues from Commission Members.

Chairman Gilden wondered if it would be appropriate to examine the process by which leases on public property are entered into and consider not simply entering them if significant Planning Commission review is going to be needed. He questioned whether the plan may be vetted by the Commission first. Attorney Ramis responded that it was necessary to receive the property owner's approval before entering an application for the use. There was not a process by which you could feel out whether it might work ahead of time. This means there are two legally separate processes that needed to happen. Planner Jacks also noted that if there was a process that took place prior to the lease and the Commission pronounces an opinion an opponent could claim bias later due to the ex-parte contact prior to the formal application.

Commissioner Hinoveanu questioned an aesthetic requirement that may have been removed approximately 12 years prior and wondered if it shouldn't be revisited. Commissioner Pugsley responded that she may be referring to the Victorian Overlay zone and erred on the side of belief that the code should not drive any particular aesthetic. Attorney Ramis also noted that state law had changed a lot over the past decade and that cities were no longer allowed to apply discretionary aesthetic judgements. There was some continued discussion regarding the history of the Victorian Overlay and its repeal. Chairman Howland suggested that the Commission look through the code and thought a work session to look at design standards as a group would be a good idea. There was a consensus that it would be a good idea to review. Commissioner Hinoveanu also suggested that it may be good to review some of the items missing from the code, such as property value considerations. Commissioner Hinson also stated that he would like to review private streets as well. Chairman Howland noted that the Planning Commission had been dealing with some housekeeping issues with the code and believed the private street was part of that work. Attorney Ramis suggested that the Commission

look at the evolution of design in downtown Portland, as they have a design advisory process. Chairman Hinoveanu requested that the Commission look at property impacts and asked the attorney if this would be possible. Attorney Ramis stated that he believed there was information that could be procured.

VII. Adjournment

The meeting was adjourned.

Shannon Howland, Chairman

ATTEST:

Melody Osborne, Planning Secretary

CITY OF DUNDEE
RESOLUTION NO. 2019-09

A Resolution accepting the proposed amendments to the Dundee Development Code and Dundee Zoning Map to Implement the Riverside District Master Plan and Directing Staff to Initiate an Infrastructure Finance Plan for the Riverside District and any necessary updates to the Comprehensive Plan, Infrastructure Plans, Transportation System Plan, and Public Works and Design and Construction Standards.

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 public hearings on December 12, 2018, January 16, 2019, February 20, 2019, April 3, 2019, and May 15, 2019.
6. At the May 15, 2019 public hearing Dundee Planning Commission considered the proposed amendments, heard public testimony, and passed an order recommending the Dundee City Council accept the proposed Development Code and Zoning Map amendments but postpone adoption until after adoption of an Infrastructure Finance Plan for the Riverside District.

7. The Dundee City Council held a public hearing on July 2, 2019 to consider acceptance of the proposed Development Code and Zoning Map amendments to implement the Riverside Master Plan.
8. The City Council heard the staff report, heard public testimony, discussed the proposed Development Code and Zoning Map amendments, directed staff to modify the proposed amendments, and continued the hearing to August 20, 2019.
9. At the August 20, 2019 hearing the City Council heard the staff report and deliberated.

THE CITY OF DUNDEE RESOLVES AS FOLLOWS:

1. The Dundee City Council accepts the proposed Development Code and Zoning Map amendments as shown in Exhibit "A" and Exhibit "B" and the supporting Findings shown in Exhibit "C".
2. The City Council directs that the proposed amendments be employed as the basis for development of our infrastructure plan and a finance plan adequate to support implementation of the proposed amendments.
3. The policy objective of the City Council is the future simultaneous adoption of the proposed amendments and the supporting infrastructure and finance plans. The Council may consider adoption of code and map amendments, and supporting infrastructure and finance plans, for a subarea of the Riverside Master Plan area, subject to compliance with all applicable criteria.

ADOPTED by the Dundee City Council this 20th day of August, 2019

Approved:



David Russ, Mayor
Tim Weaver, Council President

Attest:



Rob Daykin, City Administrator

ATTACHMENTS:

- Exhibit "A": Development Code Amendments
- Exhibit "B": Zoning Map Amendments
- Exhibit "C": Findings LURA 18-01

Exhibit A: Riverside District Development Code Amendments

Riverside District Code Amendments

August 20, 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, and other community members. The language also reflects modifications made by the Dundee Planning Commission and City Council during the public hearing process. Proposed amendments to code provisions are shown in underline (new language) and ~~striketrough~~ (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	<u>RR</u>	<u>RN</u>	<u>RD</u>	<u>RP</u>		
A. Residential Uses												
Single-Family Dwelling, including manufactured homes subject to DMC 17.203.100	P	P	P	S	S	N	<u>P</u>	<u>N</u>	<u>N</u>	<u>N</u>	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	<u>P</u>	<u>N</u>	<u>N</u>	<u>N</u>	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	<u>P</u>	<u>S</u>	<u>S</u>	<u>N</u>	DMC 17.202.040 (G) DMC 17.203.280 in Riverside mixed use zones	
Compact Detached Dwelling	N	N	N	<u>N</u>	<u>N</u>	<u>N</u>	<u>P</u>	<u>S</u>	<u>S</u>	<u>N</u>	DMC 17.203.280 in Riverside mixed use zones	
Manufactured Dwelling Park or Mobile Home Park	N	N	S	N	N	N	<u>S</u>	<u>N</u>	<u>N</u>	<u>N</u>	DMC 17.203.110 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		
Multifamily Dwelling	N	N	P	S	S	N	<u>P</u>	<u>S</u>	<u>S</u>	<u>N</u>	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	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>S</u>	<u>S</u>	<u>P</u>	DMC 17.203.280 in Riverside mixed use zones	
Dwelling(s), above permitted ground floor commercial	N	N	N	P	P	N	<u>N</u>	<u>P</u>	<u>P</u>	<u>S</u>		
Boarding, Lodging, or Rooming House	N	N	P	N	N	N	<u>N</u>	<u>P</u>	<u>P</u>	<u>N</u>		
Accessory Dwelling Unit	S	S	S	S	S	N	<u>S</u>	<u>S</u>	<u>S</u>	<u>N</u>	DMC 17.203.260	
Home Occupation	S	S	S	S	S	N	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	DMC 17.203.090 , DMC 17.203.180 in EFU	
Family Child Care Home	P	P	P	P	P	N	<u>P</u>	<u>S</u>	<u>S</u>	<u>N</u>	DMC 17.203.280 in Riverside mixed use zones	
Residential Care Home	P	P	P	S	S	N	<u>P</u>	<u>S</u>	<u>S</u>	<u>N</u>	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	<u>P</u>	<u>S</u>	<u>S</u>	<u>N</u>	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	<u>CU</u>	<u>CU</u>	<u>CU</u>	<u>CU</u>		
Church	CU	CU	CU	P	P	N	<u>CU</u>	<u>P</u>	<u>P</u>	<u>CU</u>	DMC 17.203.180 , see limits in OAR 660-33 in EFU	
Community Building	CU	CU	CU	P	P	N	<u>CU</u>	<u>P</u>	<u>P</u>	<u>CU</u>	DMC 17.203.180 , see limits in OAR 660-33 in EFU	
Club, Lodge, or Fraternal Organization	CU	CU	CU	P	P	N	<u>CU</u>	<u>P</u>	<u>P</u>	<u>CU</u>		
Day Care Facility, Preschool	CU	CU	CU	P	P	N	<u>CU</u>	<u>P</u>	<u>P</u>	<u>N</u>		
Emergency Service Facility	N	N	N	P	CU	N	<u>N</u>	<u>P</u>	<u>CU</u>	<u>CU</u>	DMC 17.203.180 , see limits in OAR 660-33 in EFU	
Hospital	N	N	CU	P	N	N	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>		
Mortuary	N	N	N	P	N	N	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>		
Nursing Home	N	N	CU	N	N	N	<u>CU</u>	<u>P</u>	<u>P</u>	<u>N</u>	DMC 17.203.280 in Riverside mixed use zones	
Parking Facility	N	N	N	P	P	P	<u>N</u>	<u>CU</u>	<u>CU</u>	<u>CU</u>		
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	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	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	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	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	<u>N</u>	<u>CU</u>	<u>CU</u>	<u>CU</u>		
School, Commercial	N	N	N	P	P	N	<u>N</u>	<u>P</u>	<u>P</u>	<u>CU</u>		
School, Elementary or Secondary	CU	CU	CU	N	N	N	<u>CU</u>	<u>P</u>	<u>P</u>	<u>N</u>		

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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		
Solid Waste Disposal and Recycling Sites and Facilities, except as accessory to a permitted use	N	N	N	N	N	CU	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>		
Utility, Area	CU	CU	CU	CU	CU	P	<u>CU</u>	<u>CU</u>	<u>CU</u>	<u>P</u>		
Wireless Communication Facilities	CU+S	CU+S	CU+S	CU+S	CU+S	S	<u>CU+S</u>	<u>CU+S</u>	<u>CU+S</u>	<u>CU+S</u>	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	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	See limits in OAR 660-033 in EFU	
Transit Centers and Park-and-Ride Lots	CU	CU	CU	CU	CU	CU	<u>CU</u>	<u>CU</u>	<u>CU</u>	<u>CU</u>		

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		
C. Commercial Uses												
Amusement and Recreation Facilities, including Theaters, Bowling Alleys, Concert Venues	N	N	N	CU/S	CU/S	N	<u>N</u>	<u>CU/S</u>	<u>CU/S</u>	<u>CU/S</u>	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	
Art Gallery, Artisan or Craftsman Studio, Photographic Studio, Picture Framing, similar uses	N	N	N	P	P	N	<u>N</u>	<u>P</u>	<u>P</u>	<u>P</u>		
Automobile Service Station	N	N	N	CU+S	N	S	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	DMC 17.203.040	

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	
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	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	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	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	DMC 17.203.140 if outdoors/unenclosed
Automotive Parts and Accessory Sales	N	N	N	S	N	N	<u>N</u>	<u>P/S</u>	<u>N</u>	<u>P/S</u>	DMC 17.203.140 if outdoors/unenclosed
Bakery, Butcher Shop, Candy Manufacturing, and similar uses, when retail sales provided on premises	N	N	N	<u>P/S</u>	<u>P/S</u>	N	<u>N</u>	<u>P/S</u>	<u>P/S</u>	<u>P/S</u>	See DMC 17.203.070 if drive-through or walk-up service
Banks and Other Financial Institutions	N	N	N	<u>P/S</u>	<u>P/S</u>	N	<u>N</u>	<u>P/S</u>	<u>P/S</u>	<u>N</u>	See DMC 17.203.070 if drive-through or walk-up service
Barber or Beauty Shop	N	N	N	P	P	N	<u>N</u>	<u>P</u>	<u>P</u>	<u>N</u>	
Bed and Breakfast Inn, with three or fewer guest sleeping rooms	P	P	P	P	P	N	<u>P</u>	<u>S</u>	<u>S</u>	<u>N</u>	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	<u>CU</u>	<u>P</u>	<u>P</u>	<u>N</u>	DMC 17.203.050
Bicycle Rental Shop	N	N	N	P	P	N	<u>N</u>	<u>P</u>	<u>P</u>	<u>P</u>	
Boat Landing, not a marina	N	N	N	N	N	N	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	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	<u>N</u>	<u>P</u>	<u>P</u>	<u>P</u>	
Garden Supply, including Commercial Greenhouses	N	N	N	<u>P/S</u>	CU+S	CU+S	<u>N</u>	<u>CU+S</u>	<u>N</u>	<u>P/S</u>	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		
Golf Course	CU	CU	CU	N	N	N	<u>N</u>	<u>N</u>	<u>CU</u>	<u>CU</u>	DMC 17.203.180 , see limits in OAR 660-33 in EFU	
Golf Driving Range, Miniature Golf	N	N	N	CU	N	N	<u>N</u>	<u>CU</u>	<u>CU</u>	<u>CU</u>	See DMC 17.203.140	
Golf Pro Shop	N	N	N	P	P	N	<u>N</u>	<u>P</u>	<u>P</u>	<u>P</u>		
Hotels and Motels	N	N	N	P	P	N	<u>N</u>	<u>P</u>	<u>P</u>	<u>CU</u>		
Kennel	N	N	N	CU	N	CU	<u>N</u>	<u>N</u>	<u>N</u>	<u>CU</u>	See DMC 17.203.140	
Lumber Yard and Similar Outdoor Sales of Building or Contracting Supplies	N	N	N	N	N	S	<u>N</u>	<u>N</u>	<u>N</u>	<u>S</u>	DMC 17.203.140	
Marijuana Uses												
Marijuana Dispensary or Retail Facility	N	N	N	P/S	P/S	N	<u>N</u>	<u>P</u>	<u>P</u>	<u>N</u>	DMC 17.203.250	
Marijuana Producer or Grow Site	N	N	N	CU + S	N	P/S	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	DMC 17.203.250	
Marijuana Processor	N	N	N	CU + S	N	P/S	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	DMC 17.203.250	
Marijuana Wholesaler	N	N	N	CU + S	N	P/S	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	DMC 17.203.250	
Marijuana Testing Laboratory or Research Certificate	N	N	N	P/S	N	P/S	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	DMC 17.203.250	
Marina, with no boat repair	N	N	N	N	N	N	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	DMC 17.203.140	
Medical/Dental Clinic	N	N	N	P	P	N	<u>N</u>	<u>P</u>	<u>P</u>	<u>P</u>		
Paint and Painting Supplies Sales or Rental	N	N	N	P	P	P	<u>N</u>	<u>P</u>	<u>N</u>	<u>P</u>		
Restaurants, and Other Eating and Drinking Establishments	N	N	N	P/S	P/S	N	<u>N</u>	<u>P/S</u>	<u>P/S</u>	<u>P/S</u>	DMC 17.203.140 if outdoors/unenclosed, DMC 17.203.070 if drive-through or walk-up service	

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	
Retail Sales, including Accessory Services and Repair, except as specified elsewhere in this table	N	N	N	P/S	P/S	N	<u>N</u>	<u>P/S</u>	<u>P/S</u>	<u>P/S</u>	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	<u>N</u>	<u>S</u>	<u>S</u>	<u>S</u>	DMC 17.203.060
Service-Related Businesses, except as specified elsewhere in this table	N	N	N	P/S	P/S	N	<u>N</u>	<u>P/S</u>	<u>P/S</u>	<u>P/S</u>	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	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	DMC 17.203.140 if outdoors/unenclosed
Vacation Rental, with Three or Fewer Bedrooms	P	P	P	P	P	N	<u>P</u>	<u>S</u>	<u>S</u>	<u>N</u>	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	<u>CU</u>	<u>S</u>	<u>S</u>	<u>N</u>	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	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	
Auction Yards	N	N	N	N	N	CU+S	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	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	
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	<u>N</u>	<u>N</u>	<u>N</u>	<u>P</u>	
Bulk Storage of Flammable Liquids or Gases; Petroleum Products Storage and Distribution; Wood or Biomass Fuel Dealers	N	N	N	N	N	CU	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	DMC 17.203.140 if outdoors/unenclosed
Call Centers and Data Centers	N	N	N	CU	CU	CU	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	
Cement, Glass, Clay, and Stone Products Manufacture	N	N	N	N	N	P	<u>N</u>	<u>N</u>	<u>N</u>	<u>CU</u>	DMC 17.203.140 if outdoors/unenclosed
Chemical, Fertilizer, Insecticide, Paint Product Manufacture, or Similar Uses	N	N	N	N	N	CU	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	DMC 17.203.140 if outdoors/unenclosed
Concrete or Asphalt Batch Plants	N	N	N	N	N	CU+S	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	DMC 17.203.140
Dairy Products Manufacture, e.g., butter, milk, cheese, ice cream	N	N	N	N	N	P	<u>N</u>	<u>N</u>	<u>N</u>	<u>CU</u>	DMC 17.203.140 if outdoors/unenclosed
Dwelling for a Caretaker or Watchperson	N	N	N	N	N	P	<u>N</u>	<u>N</u>	<u>N</u>	<u>S</u>	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	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	DMC 17.203.140 if outdoors/unenclosed, DMC 17.203.180 in EFU, see limits in OAR 660-33 in EFU
Finished Textile and Leather Products Manufacture	N	N	N	N	N	P	<u>N</u>	<u>N</u>	<u>N</u>	<u>P</u>	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	<u>N</u>	<u>N</u>	<u>N</u>	<u>P</u>	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	
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	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	DMC 17.203.140 if outdoors/unenclosed
Machine Shop, and Sales, Service and Repair of Machinery	N	N	N	N	N	P	<u>N</u>	<u>N</u>	<u>N</u>	<u>CU</u>	DMC 17.203.140 if outdoors/unenclosed
Metal Plating	N	N	N	N	N	CU	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	DMC 17.203.140 if outdoors/unenclosed
Metal Products Manufacture	N	N	N	N	N	P	<u>N</u>	<u>N</u>	<u>N</u>	<u>CU</u>	DMC 17.203.140 if outdoors/unenclosed
Newspaper, Periodical, Publishing and Printing	N	N	N	CU	CU	P	<u>N</u>	<u>N</u>	<u>N</u>	<u>P</u>	
Outdoor Storage of Materials of an Industrial Character	N	N	N	N	N	CU+S	<u>N</u>	<u>N</u>	<u>N</u>	<u>CU+S</u>	DMC 17.203.140
Personal Storage, such as Mini-Storage Warehouses	N	N	N	CU+S	N	P	<u>N</u>	CU+S	<u>N</u>	<u>CU+S</u>	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	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	
Small-Scale Manufacturing in the community commercial zone, as defined in DMC 17.203.150 .	N	N	N	S	N	N	<u>N</u>	<u>S</u>	<u>N</u>	<u>N</u>	DMC 17.203.150
Specialty Trade Contracting Facilities, conducted wholly within a building	N	N	N	CU	N	P	<u>N</u>	<u>N</u>	<u>N</u>	<u>P</u>	
Specialty Trade Contractor Facilities, conducted all or partially outdoors	N	N	N	N	N	S	<u>N</u>	<u>N</u>	<u>N</u>	<u>CU</u>	DMC 17.203.140
Welding Shop and Blacksmith, conducted wholly within a building	N	N	N	CU	N	P	<u>N</u>	<u>N</u>	<u>N</u>	<u>P</u>	

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		
Welding Shop and Blacksmith, conducted all or partially outdoors	N	N	N	N	N	S	<u>N</u>	<u>N</u>	<u>N</u>	<u>CU</u>	DMC 17.203.140	
Wood Products Manufacture, including sawmills, paper and allied products, and secondary wood products	N	N	N	N	N	P	<u>N</u>	<u>N</u>	<u>N</u>	<u>CU</u>	DMC 17.203.140 if outdoors/unenclosed	
Wrecking, Demolition, Junk Yards, including Recycling Firms	N	N	N	N	N	CU+S	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	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	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>		
Farm Use	N	N	N	N	N	N	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	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	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	DMC 17.203.180	
Additional Dwellings in Conjunction with Farm Use	N	N	N	N	N	N	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	DMC 17.203.180 , see OAR 660-33 for limits in EFU	
Any other dwelling listed as an allowed use under OAR Chapter 660 , Division 33	N	N	N	N	N	N	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	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	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	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	
Commercial Activities in Conjunction with Farm Use, except Farm Stands	N	N	N	N	N	N	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	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	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	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	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	
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	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	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	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	DMC 17.203.180 , see OAR 660-33 for limits
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	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	DMC 17.203.180 , see OAR 660-33 for limits
F. Accessory Uses	P/C U	P/C U	P/C U	P/C U	P/CU U	P/C U	<u>P/CU</u>	<u>P/CU</u>	<u>P/CU</u>	<u>P/CU</u>	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	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	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 See also DMC 17.202.040
	R-1	R-2	R-3	C	CBD	LI	RR	RN	RD	RP	
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 See also DMC 17.202.040
	R-1	R-2	R-3	C	CBD	LI	RR	RN	RD	RP	
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	
Primary Front Yard – Minimum	20(d)	20(d)	15	10(j)	5(j)	10*	<u>10 (u)</u> <u>(w)</u>	<u>0 (q)</u>	<u>0 (q)</u>	<u>10</u>	<p>See also DMC 17.202.040</p> <p>(d) Minimum front yard for unenclosed, single story porch or deck is 15.</p> <p>(e) Minimum side or rear setback adjoining residential zone is 20 feet.</p> <p>(f) Minimum rear setback is 50 feet for nonresidential uses.</p> <p>(g) Minimum side setback is 30 feet for nonresidential uses.</p> <p>(h) Minimum side or rear setback adjoining residential zone is 10 feet.</p> <p>(i) Limited to six common wall dwellings on individual lots.</p> <p>(j) Minimum front yard setbacks apply only abutting Highway 99W right-of-way. Minimum front setback abutting other public rights-of-way is zero.</p> <p>(k) Compliance with the maximum front yard standards is determined as specified in DMC 17.202.060(A).</p> <p><u>(q) Residential buildings without ground floor commercial are subject to the standards of the RR zone.</u></p> <p><u>(u) Garage entrances must be set back a minimum of 20 feet from the front lot line.</u></p> <p><u>(w) Proposed housing units and lots adjacent to a lower density, Dundee residential zone must meet the development standards of the lower density zone.</u></p>
Secondary Front Yard – Minimum	20(d)	15	15	10(j)	5(j)	10*	<u>10 (w)</u>	<u>0 (q)</u>	<u>0 (q)</u>	<u>10</u>	
Primary Front Yard – Maximum				20(k)	15(k)		-	<u>20(k)</u> <u>(q)</u>	<u>15(k)</u> <u>(q)</u>	-	
Secondary Front Yard – Maximum				40(k)	30(k)		-	<u>40(k)</u> <u>(q)</u>	<u>30(k)</u> <u>(q)</u>	-	
Side Yard for a Principal Structure	10	7.5	5	None (e)	None (e)	None (e)	<u>5 (w)</u>	<u>None</u> <u>(e) (q)</u>	<u>None</u> <u>(e) (q)</u>	<u>None</u> <u>(e)</u>	
Rear Yard for a Principal Structure	20	15	15	None (e)	None (e)	None (e)	<u>10 (w)</u>	<u>None</u> <u>(e) (q)</u>	<u>None</u> <u>(e) (q)</u>	<u>None</u> <u>(e)</u>	
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)	<u>1/3 of building height, none if 6 feet high or less</u>	<u>None</u> <u>(e) (q)</u>	<u>None</u> <u>(e) (q)</u>	<u>None</u> <u>(e)</u>	
Side Yards for Zero Side Yard Dwelling Units	NA	NA	10, except zero yard (i)	NA	NA	NA	<u>10, except zero yard (i)</u>	<u>NA (q)</u>	<u>NA (q)</u>	<u>NA</u>	
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	
C. Maximum Structure Height (Feet)											
Dwellings	30	30	30	45(l)	45(l)	45	<u>35(v)</u> <u>(w)</u>	45	45	35	(l) New structures shall be limited to three stories.
Non-Dwelling Structures	30	30	30	45(l)	45(l)	45	<u>35(v)</u> <u>(w)</u>	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	
D. Minimum Lot Dimensions (Feet)											
Lot Width and Frontage	60	60	50(n)	None			<u>30 (n)</u> <u>(w)</u>	<u>None</u> <u>(q)</u>	<u>None</u> <u>(q)</u>	<u>None</u> <u>(q)</u>	(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			<u>50 (o)</u> <u>(w)</u>	<u>None</u> <u>(q)</u>	<u>None</u> <u>(q)</u>	<u>None</u> <u>(q)</u>	(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	
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: <u>RD and CBD</u> = 6, <u>RN and C</u> = 2; possible points = 10)			
<u>1.</u> 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 materials in order to qualify; see examples in Figure 13 and Figure 14)	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
<u>2.</u> 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)
<u>3.</u> 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
<u>4.</u> 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,	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

Table 17.202.060 – Architectural Features Design Matrix

Design Criteria	Possible Points		
	0	1	2
or pedestrian plaza; does not include regular building entrances)			
<u>5.</u> 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 signs, or projecting wall signs	Site uses exclusively awning signs, wall signs, and/or projecting wall signs
Site Design Features (minimum points: <u>RD and CBD</u> = 5, <u>RN and C</u> = 2; possible points = 12 in <u>RD and CBD</u> zone, 14 in <u>RN and C</u> zone)			
<u>1.</u> 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
<u>2.</u> 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
<u>3.</u> 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
<u>4.</u> 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.

Table 17.202.060 – Architectural Features Design Matrix

Design Criteria	Possible Points		
	0	1	2
<u>5.</u> Additional landscaped area in the <u>RN and C zones</u> (subject to DMC 17.302.040 ; not applicable in the <u>RD and CBD zones</u>)	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 .
<u>6.</u> 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
<u>7.</u> 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: RD and CBD = 1, RN and C = 1; possible points = 14, <u>18</u> in RD and RN zones)			
<u>1.</u> 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
<u>2.</u> 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

Table 17.202.060 – Architectural Features Design Matrix

Design Criteria	Possible Points		
	0	1	2
<u>3.</u> Stormwater management integrated into site and landscaping (can include rain gardens, bioswales, and similar low impact development techniques; does not include detention ponds; see examples in Figure 19)	No low impact development measures used on site	Site includes low impact stormwater management measures	
<u>4.</u> 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
<u>5.</u> Electric vehicle charging station	Site does not include electric vehicle charging station	Site includes at least one electric vehicle charging station	
<u>6.</u> 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
<u>7.</u> 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
<u>8.</u> 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			

Table 17.202.060 – Architectural Features Design Matrix

Design Criteria	Possible Points		
	0	1	2
<u>9. Building energy efficiency measures that will reduce energy consumption, including efficient lighting and appliances, efficient hot water systems, solar orientation or solar water heating, solar photovoltaic panels, geothermal, and offsetting energy consumption with alternative energy.</u>	<u>Efficiency measures reduce energy consumption by less than 25 percent based on HERS rating for building.</u>	<u>Efficiency measures reduce energy consumption by 25-50 percent based on HERS rating for building.</u>	<u>Efficiency measures reduce energy consumption by more than 50 percent based on HERS rating for building.</u>
<u>10. Forest Stewardship Council certified wood Reclaimed Wood</u>	<u>Less than 25% of wood products are Reclaimed wood</u>	<u>25-50% of wood products are Reclaimed wood</u>	<u>More than 50% of wood products are Reclaimed wood</u>

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;

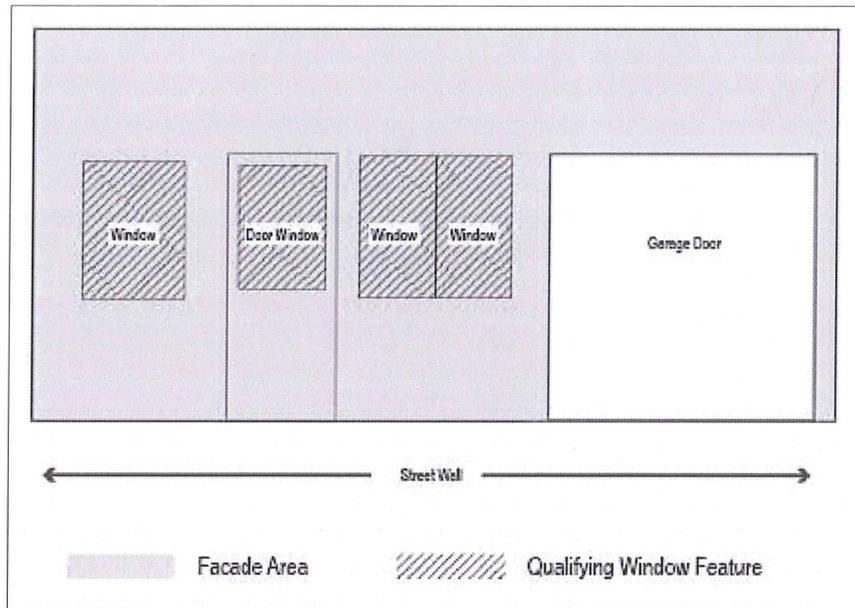
- d. Any of the following architectural features: awnings; columns; windows; arches; decorative relief, at least one inch in depth; pitched roof; other, as approved by the planning official.
 2. Walls facing a public street must be constructed of one or more of the following building materials:
 - a. 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 (RR, RN and RD). Nursing homes 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 percent 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.

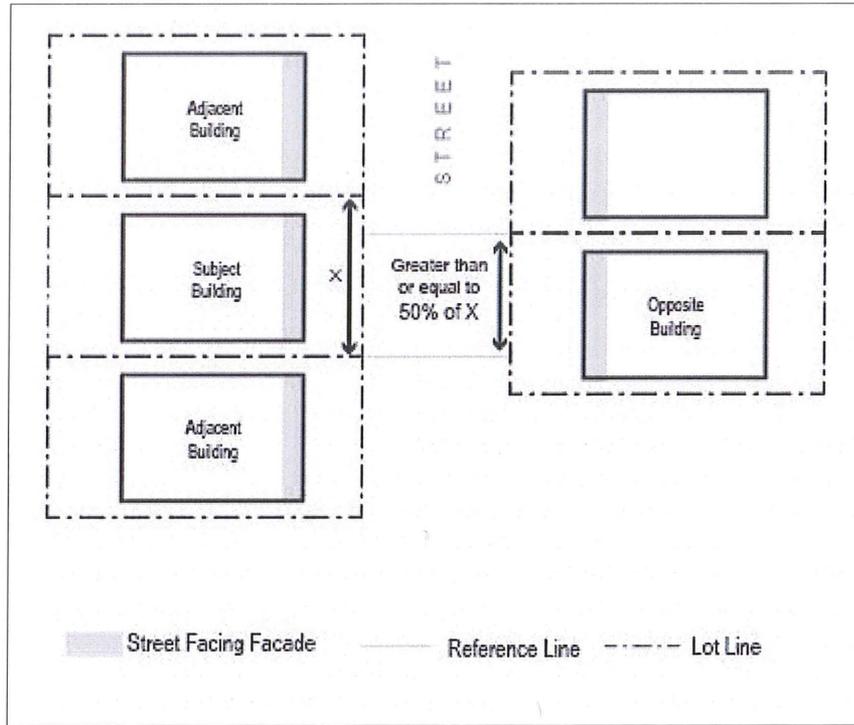
C. Articulation. The following standards apply to all residential building facades which face a street. The standards are not required for facades which only face alleys. All street-facing facades of such buildings must include at least one of the following features:

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.

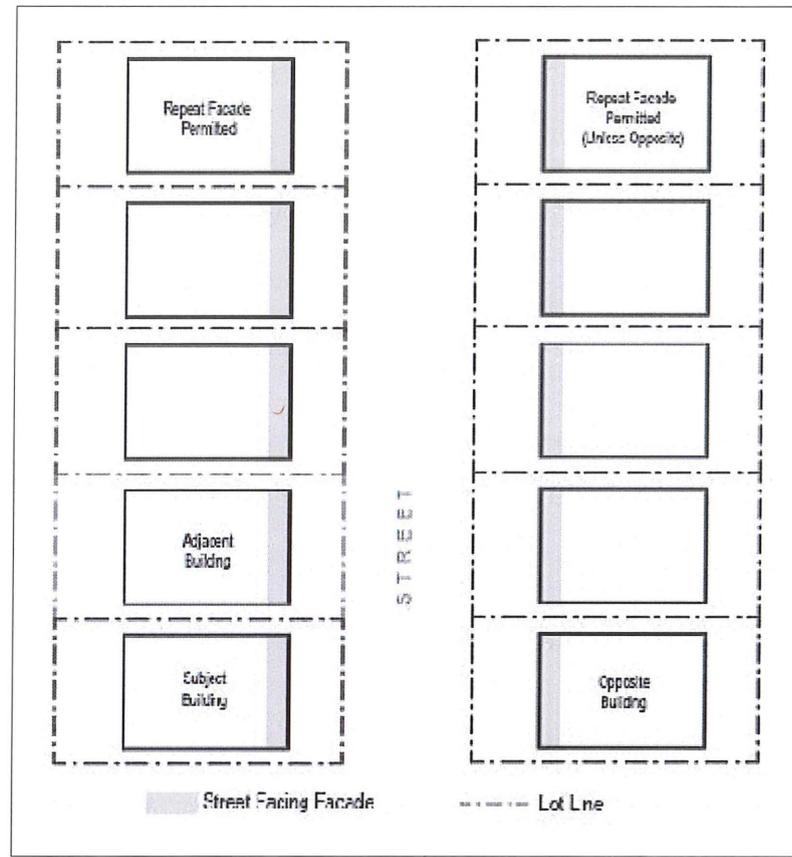
1. All buildings directly adjacent and opposite will be used for comparison in this standard.
Opposite is defined as any two dwellings directly across the street from one another whose frontages overlap by 50 percent or more.

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).

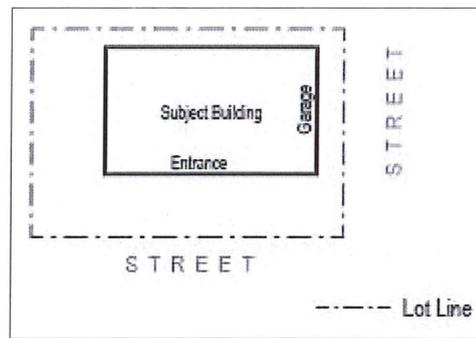
c. Roof type. The buildings use different roof forms (e.g. gable, gambrel, or hip), different orientation (e.g., front-facing versus side-facing gable), or have different roof projections (e.g., with and without dormer or shed).

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 percent 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. Sustainable Features Matrix

Sustainability Criteria	Possible Points		
	0	1	2
Sustainability Features (minimum points: 5; possible points = 18)			
1. <u>Shared parking with adjacent uses (must meet standards of DMC 17.304.040(B))</u>	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. <u>Use of native plants (native species listed in Metro’s “Native Plants for Willamette Valley Yards” or a similar resource)</u>	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. <u>Stormwater management integrated into site and landscaping (can include rain gardens, bioswales, and similar low impact development techniques)</u>	No vegetated stormwater management facilities used on site	Site includes vegetated stormwater management facilities	-
4 <u>Low water irrigation systems</u>	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

Table 17.202.080. Sustainable Features Matrix

Sustainability Criteria	Possible Points		
	<u>0</u>	<u>1</u>	<u>2</u>
5 <u>Electric vehicle charging station</u>	Site does not include <u>electric vehicle charging station</u>	Site includes at least one <u>electric vehicle charging station</u>	-
6 <u>Permeable paving (may include porous concrete, permeable pavers, or other pervious materials as approved by the city engineer)</u>	Little or no use of <u>permeable paving (less than 10% of all paved surfaces)</u>	<u>Permeable paving used on 10% to 50% of all paved surfaces</u>	<u>Permeable paving used on over 50% of all paved surfaces</u>
7. <u>Green roofs for stormwater management (designed in accordance with best practices and approved by the building official; see examples in Figure 20)</u>	Little or no <u>green roof (less than 25% of total roof area)</u>	<u>Green roof covering 25% to 50% of the total roof area</u>	<u>Green roof covering more than 50% of the total roof area</u>
8. <u>LEED certification by the U.S. Green Building Council</u>	Building not <u>LEED certified</u>	-	Building <u>LEED certified at any level</u>
9. <u>Building energy efficiency measures that will reduce energy consumption, including efficient lighting and appliances, efficient hot water systems, solar orientation or solar water heating, solar photovoltaic panels, geothermal, and offsetting energy consumption with alternative energy.</u>	Efficiency measures <u>reduce energy consumption by less than 25 percent based on HERS rating for building.</u>	Efficiency measures <u>reduce energy consumption by 25-50 percent based on HERS rating for building.</u>	Efficiency measures <u>reduce energy consumption by more than 50 percent based on HERS rating for building.</u>
10. <u>Forest Stewardship Council certified wood Reclaimed Wood</u>	Less than 25% of <u>wood products are Reclaimed wood</u>	<u>25-50% of wood products are Reclaimed wood</u>	<u>More than 50% of wood products are Reclaimed wood</u>

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 percent of the total dwelling units within the subject development are affordable to households at 80 percent 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 Site Development 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. Up to 50 percent of the net area designated as Riverside Mixed Use Zones (RN and RD) in a Site Development Master Plan, may be developed with residential-only uses, i.e., no commercial or industrial component.

2. Dwellings above ground floor commercial are not included in the residential-only uses in 17.203.280(C)(1).

3. No more than 50% of the floor area in a non-residential development area may be live/work dwellings.

4. The residential-only uses shall be developed at a minimum density of 14 units per net acre.

5. Net area for the purposes of this standard shall be calculated as the area of land after deducting for future streets, parks, and natural resource areas subject to local, state, or federal preservation requirements.

Chapter 17.204 OVERLAY ZONES

17.204.020 Applicability.

Unless specifically modified by the overlay district, development within the boundaries of an overlay zone must meet both the requirements of the base zoning and the overlay zone. Overlay zone boundaries are depicted on the official zoning map, in the comprehensive plan, or as otherwise described herein. The overlay is designated by showing the base zone, followed by a slash then a two-letter abbreviation for the overlay, such as R-2/FP. The Riverside District overlay is shown by the RD designation on the Dundee Comprehensive Plan. Overlay zone boundaries may follow natural features, contours, or specified buffer distances rather than lot lines, so that an overlay zone may apply only to part of a development site. Where boundaries of an overlay zone are unclear, the city planning official shall use the procedure in DMC 17.201.020 to determine the boundary. The city planning official may rely on field measurements, surveys, or similar information to determine the boundaries. Boundary locations that are determined by information from other official sources are modified automatically when those official sources modify the boundary, such as when a letter of map amendment modifies a flood plain boundary. [Ord. 521-2013 § 3 (Exh. A)].

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 SDMP are subject to subsection G (Consistency) and H (Modifications), provided a SDMP 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. 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 percent, but no less than 50 percent of the area within the subject Riverside District subarea.
 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 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.

E. Housing Mix Requirements. The Site Development Master Plan must identify at least two different housing types in each subarea where residential only development is proposed.

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 Site Development 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 site development 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 net 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: $(2.9 \text{ persons per dwelling units}) \times (\text{total number of dwelling units proposed in the subarea}) \times (2.5 \text{ acres}) / (1,000 \text{ persons})$.
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 percent of the required minimum size that is free of slopes in excess of 5 percent and no slopes in excess of 15 percent. Wetlands, stream corridors, or designated wildlife habitat areas or

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

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 shared use path system.

I. Shared Use Paths must meet the following criteria.

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

a. Connecting parks in the Riverside District Master Plan Subareas A and C underneath the Newberg-Dundee Bypass to the North South Parkway;

b. Connecting SW 6th Street with the existing SW 8th Street (Dundee Landing Road) bicycle and pedestrian facilities that cross over the Dundee-Newberg Bypass.

c. Connecting parks in the Riverside District Master Plan Subareas D, E, and F.

d. Path alignments may vary from Figure 17.204.060.1 depending on the final location of parks; however a path must be provided along the Willamette River top of bluff and south of the Canyon Lake Natural Area connecting the North-South Parkway to the bluff.

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

3. 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 percent.

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

5. 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 Subarea, 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 Site Development Master Plan:

- a. Housing type and quantity. Changes to planned housing type do not affect more than 20 percent 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 percent of the number of connections shown in the Master Plan.
- e. Shared use path and trail alignment. Shared use path and trail alignments must be adjacent to the same lots or roadway shown in the Site Development Master Plan.
- f. Infrastructure alignment and sizing. Alignments and connections of proposed facilities are adjacent to the same streets as shown in the Site Development 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 Site Development 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 Site Development 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.

1. Modifications include the following.

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

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

2. Proposed modifications shall address each of the submittal requirements described in Subsection (D) of this Section and shall be consistent with all review and approval requirements described in all other subsections of this Section of the Development Code.

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 to achieve the minimum target density of eight (8) units per net acre or meet density and development goals in the RD or RN zones.

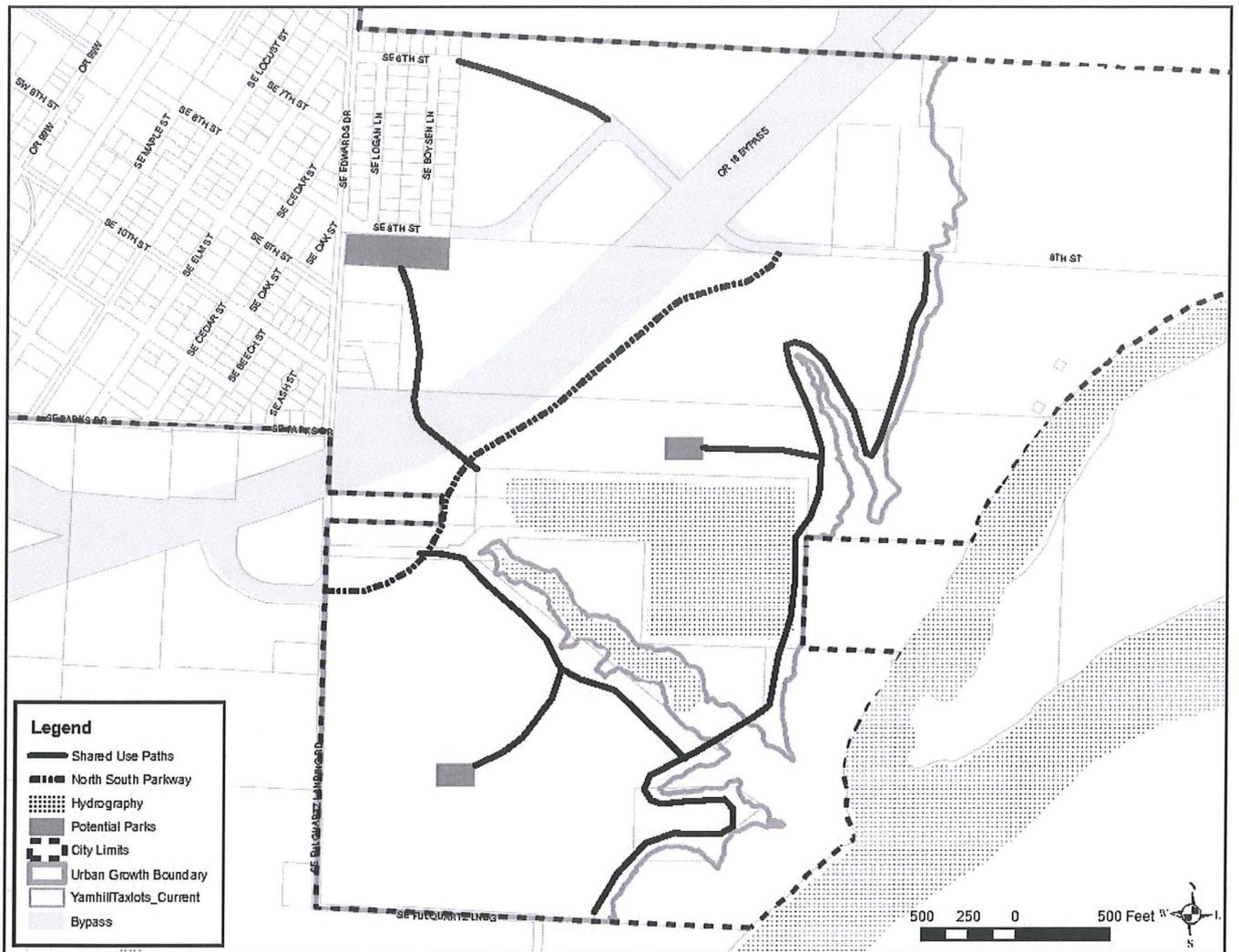
1. For subdivisions in the RR zone, areas identified for single family detached dwellings in an approved Site Development Master Plan, including those with lots designated for duplex or single family attached dwellings, the average lot size for all single family detached dwelling lots in the subdivision shall not exceed 6,000 square feet. Lots and tracts reserved for non-residential uses, parks, trails, natural resources, and other housing types are not included in the calculation of average lot size.

2. 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.

3. Residential only development in the RD and RN zones must meet the Special Use Standards of Section 17.203.280.

N. Approval Period. Modification of the Plan may result in an extension of the approval of the Master Plan period for up to five years. Only one five-year extension will be granted for a Master Plan, regardless of the number of modifications requested and approved.

Figure 17.204.060.1 Shared Use Paths Map



Chapter 17.302 Landscaping and screening

17.302.060 Screening and buffering.

C. Parking Lot Landscaping and Screening Standards. All new parking lots or expansions of existing parking lots, which for purposes of this section include areas of vehicle maneuvering, parking, and loading, shall be landscaped and screened as follows:

1. Screening Required. Parking lots shall be screened adjacent to lot lines as follows:

a. Any parking area or drive aisle adjacent to an interior lot line shall be screened by a five-foot landscaped strip. Where the parking area is located adjacent to an R-1, R-2, or RR zoning district, the landscaped strip shall also include an opaque fence to block light trespass from headlights onto adjacent properties. Where additional screening is required between zones, the screening shall be incorporated into the required buffer strip, and shall not be an additional requirement.

b. Any parking area adjacent to a front lot line along a public right-of-way shall be screened by a 10-foot landscaped strip.

2. Screen Height. The screen required under subsection (C)(1) of this section shall be designed and planted to grow to be at least 36 inches higher than the finished grade of the parking area within one year of planting; except for required vision clearance areas, the screen height may be achieved by a combination of earth mounding and plant materials or a combination of a 36-inch wall and plant materials. Where the parking area to be screened is above the adjacent grade, such screening shall cover both the parking and the retaining wall or slope, as applicable.

3. Parking Lot Landscaping. Landscaping within or adjacent to a parking lot shall consist of a minimum of six percent of the total parking area plus a ratio of one tree per 15 parking spaces, except that landscaping within or adjacent to a parking lot containing more than 20 parking spaces in the C or RN zone shall consist of a minimum of 10 percent of the total parking area plus a ratio of one tree per 10 parking spaces. Trees and landscaping shall be installed as follows:

a. The tree species shall be an appropriate large canopied shade tree selected from the street tree list of DMC 17.302.070 to avoid root damage to pavement and utilities, and damage from droppings to parked cars and pedestrians.

- b. The tree shall be planted in a landscaped area such that the tree bole is at least three feet from any curb or paved area.
- c. The landscaped area shall be planted with shrubs, grass, or living ground cover to assure 80 percent coverage within two years.
- d. That portion of a required landscaped yard, buffer strip or screening strip abutting parking stalls may be counted toward required parking lot landscaping as long as the tree species, living plant material coverage, placement and distribution criteria are also met.
- e. Landscaping should be evenly distributed throughout the parking area and perimeter.

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”

“HERS” means Home Energy Rating System which is a home energy efficiency measurement index.

“LEED” means Leadership in Energy and Environmental Design.

“Low impact development” means a design approach to manage stormwater that mimics nature by using techniques that infiltrate, evapotranspire, and/or harvest/reuse the runoff generated from storm water to retain precipitation onsite.

Exhibit B: Riverside District Zoning Map Amendments

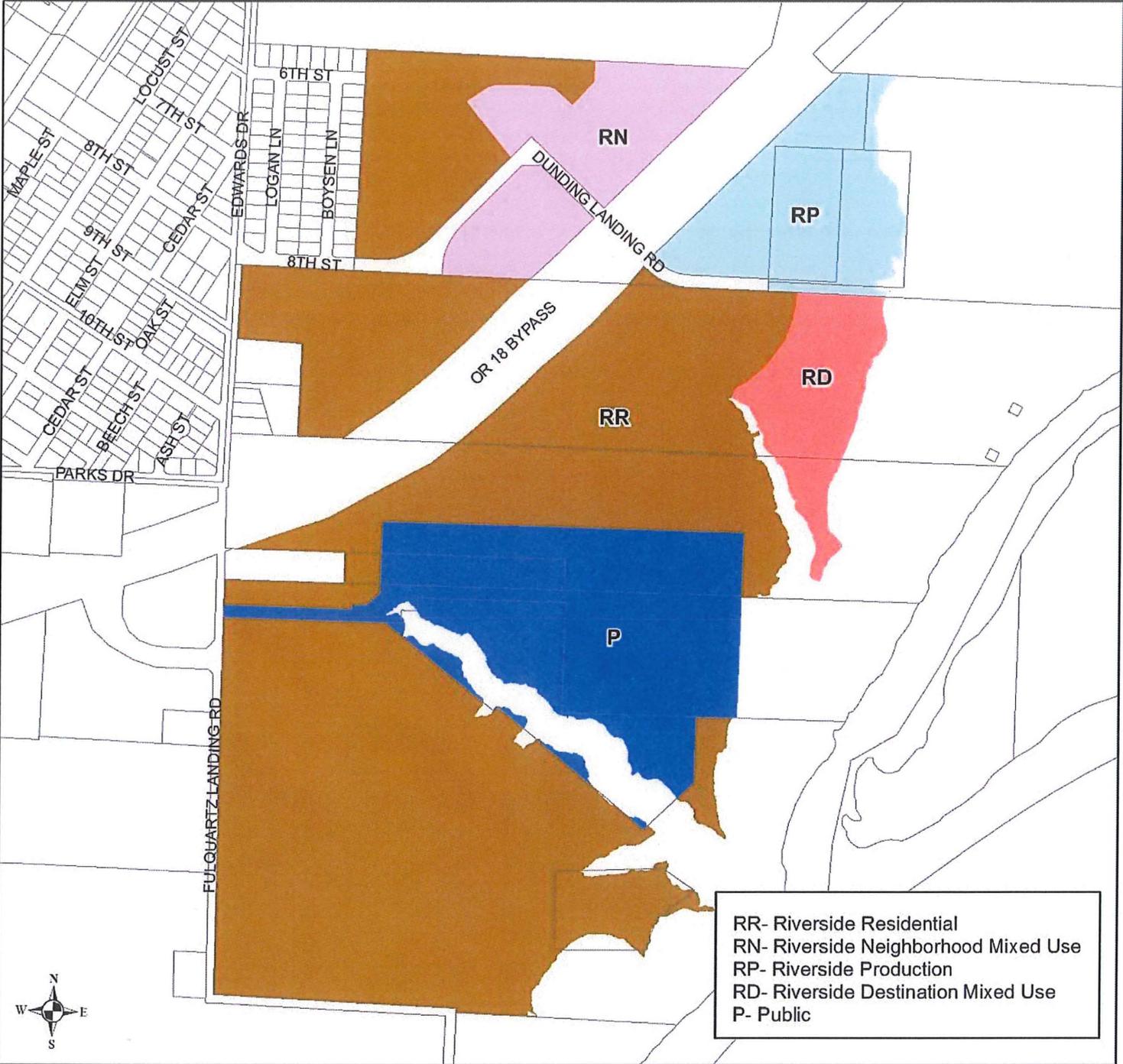


Exhibit C: Findings LURA 18-01 Riverside District Development Code and Zoning Map Amendments

Overview

Because a plan to finance public infrastructure improvements has not been drafted or approved, the Planning Commission recommendation is to accept the proposed zoning to implement the adopted Riverside District Master Plan. Additional public hearings to consider adoption of the amendments will happen in the future once financing is secured. No changes will be made to the Zoning Map or Dundee Municipal Code – Title 17 Development Code.

The proposed amendments to provide zoning and development standards to the Riverside District comply with the Dundee development code, Dundee Comprehensive Plan goals & policies, and Oregon Statewide Planning Goals, rules and statutes, as demonstrated by the findings below. The proposed code and map amendments are focused on implementing the policies and goals of the Riverside District Master Plan (RDMP), which was adopted as an amendment to the City of Dundee Comprehensive Plan in 2011.

Section I - Dundee Municipal Code, 17.405.030

17.405.030 Criteria. Approval of an ordinance amending the zoning map, comprehensive plan map, comprehensive plan, or development code shall be based on the following:

A. Zoning Map Amendment. Proposals for a zoning map amendment must comply with the following criteria:

1. The proposal must be consistent with the comprehensive plan map (the comprehensive plan map may be amended concurrently with proposed changes in zoning).

Finding: The Planning Commission recommendation is to accept the proposed zoning to implement the adopted Riverside District Master Plan. The proposed zoning is consistent with the RDMP and the existing comprehensive plan designation of Riverfront District.

2. The site(s) must be appropriate for the proposed change, in terms of purpose of the proposed zone, topography, access, and required size and dimensions.

Finding:

- The proposed zoning includes two mixed use zones which allow for a mix of retail, commercial and residential development. These zones are located in the areas identified for retail and commercial development in the RDMP and are consistent with the acreages identified for those uses in that plan. Allowed uses in those zones correspond to the types of uses recommended in the RDMP.

- The proposed Development Code amendments include application of a Riverside Production Zone which will allow a mix of light industrial, retail and other commercial uses, including wine production and other uses specifically identified as desirable in the RDMP. The area designated for this zone is consistent with the acreage identified for these uses in the plan.
- The proposed zoning applies the Riverside Residential zone to the areas identified for residential development in the RDMP. The proposed new residential zone allows for a wide variety of housing types, requires densities consistent with housing targets established in the RDMP and includes design and development standards which will meet other specific goals and policies of the plan.

3. Public facilities are available, or can be readily made available, to adequately serve the permitted and conditional uses of the proposed zone.

Finding: Because a plan to finance public infrastructure improvements has not been drafted or approved, the Planning Commission recommendation is to accept the proposed zoning to implement the adopted Riverside District Master Plan. Additional public hearings to consider adoption of the amendments will happen in the future once financing is secured.

The proposed code amendments build on work conducted early in the Riverside District Master Plan (RDMP), and the proposed uses are consistent with those anticipated by the RDMP. The proposed and existing code will ensure that public facilities will be provided as development occurs to adequately serve it. Each sub-area within the Riverside District will be required to have a Development Master Plan approved prior to any development being approved within that area.

The Master Plan will require the applicant demonstrate public facilities and services (including water, stormwater, wastewater transportation, and parks and pathways) to serve the subarea and development sites before development may start.

4. The amendment must conform to the transportation planning rule provisions under DMC 17.405.040.

Finding:

17.405.040 Transportation planning rule compliance.

Proposals to amend the comprehensive plan or zoning map shall be reviewed to determine whether they significantly affect a transportation facility pursuant to OAR 660-012-0060 (Transportation Planning Rule – TPR). Where the city council, in consultation with the applicable roadway authority, finds that a proposed amendment would have a significant effect on a transportation facility, the city shall work with the roadway authority and applicant to modify the request or mitigate the impacts in accordance with the TPR and applicable law.

The Oregon Transportation Planning Rule OAR 66-012-0060(1), states:

“Amendments to functional plan, acknowledged comprehensive plans and land use regulations which significantly affect a transportation facility shall assure that allowed land uses are consistent with the identified functions, capacity and performance standards (i.e. level of service, volume to capacity ratio, etc) of the facility.”

OAR Section 660-012-0060(2) states that to determine if a proposed use significantly affects a transportation facility the following must be found:

“(a) Changes the functional classification of an existing or planned transportation facility;

(b) Changes standards implementing a functional classification system;

(c) Allows types or levels of land uses which would result in levels of travel or access which are inconsistent with the functional classification of a transportation facility; or

(d) Would reduce the performance standards of the facility below the minimum acceptable level identified in the TSP.”

No changes to the Comprehensive Plan designations are proposed to be updated; therefore, significant provisions of the Transportation Planning Rules are not applicable.

The City of Dundee underwent a Transportation System Plan update in July 2015 to include changes related to the RDMP. During this time, the Transportation Planning Rules compliance were addressed. The proposed amendments and zoning designations within the new Riverside District are consistent with development assumptions and traffic analysis with the TSP and earlier Master Planning efforts. Modifications made since that time will allow for residential only development in commercial zones. The proposed code allows up to 50% of the net acreage in the RN and RD zones to be developed with residential only uses. Minimum density for this development is 14 units per acre. This change is still consistent with the RDMP and results in a net increase of approximately 150 trips (about 6% at full buildout of the Riverside District). This will not have a significant impact on the transportation system.

In this way, the new development code additions are consistent with Statewide Planning Goal 12 and the Transportation Planning Rule.

17.405.030.C. Development Code Amendment. Proposals for a development code amendment must comply with applicable comprehensive plan goals and policies, statewide planning goals, and Oregon Administrative Rules.

Finding: The new Riverside code will implement the policies and goals of the Riverside District Master Plan (RDMP), which was a supporting document to the Riverside District Comprehensive Plan chapter. Policy 1 states that this chapter will supersede any policies within the

Comprehensive Plan that relate to the area within the Riverside District. Findings in Section II show compliance with the Riverside District chapter's policies. Given this policy language, other Comprehensive Plan policies are not addressed explicitly in these findings. Consistency with many of the more general policies related to housing, economic development and transportation are addressed by consistency with the Oregon Statewide Planning Goals – Section III.

Section II - Dundee Comprehensive Plan, Chapter 5 Riverside District

Policies

Dundee Comprehensive Plan Chapter 5, Riverside District

The City of Dundee adopted Chapter 5 of its Comprehensive Plan to incorporate the Riverside District Master Plan (RDMP) into the existing planning document. Policy 1 of Chapter 5 states that this chapter will supersede any policies within the Comprehensive Plan that relate to the area within the Riverside District. As such, the Development Code has been created to meet the policies within Chapter 5 specifically of the Comprehensive Plan. The RDMP provides additional details as to the specifics of some of these policies as a supporting document.

1. The policies in this Riverside District chapter shall replace and supersede any policies in the Dundee Comprehensive Plan that relate to the area within the new Riverside District plan designation.

Finding: As stated above, the new Riverside code will implement the policies and goals of the Riverside District Master Plan (RDMP), which was a supporting document to the mentioned Riverside District chapter. Responses below will show compliance to the Riverside District chapter's policies. Given this policy language, other Comprehensive Plan policies are not addressed explicitly in these findings although consistency with many of the more general policies related to housing, economic development and transportation are addressed by consistency with the Oregon Statewide Planning Goals.

2. The City will identify the boundaries of the Riverside District plan designation on the Comprehensive Plan Map as shown in Figure 1.

Finding: The Comprehensive Plan Map was updated prior to preparation of the proposed development code amendments. The development code will align with the Comprehensive Plan Map, and future development within the Riverside District will correlate with the boundaries of the Riverside District shown in Figure 1 of the Riverside District Chapter of the Dundee Comprehensive Plan.

3. The City will retain existing zoning that applies within the Riverside District plan designation. Existing zoning shall be considered consistent with the Riverside District plan designation

because existing zones allow less intensive, lower density development than anticipated in the Riverside District Master Plan. Uses and development allowed under existing zoning regulations will be allowed, consistent with the provisions of the Dundee Development Code, statewide administrative rules and statutes, all of these policies, and any conditions of prior zoning and development approvals.

Finding: When the RDMP was adopted, existing zoning designations were retained, consistent with the policy and reasoning above. The current proposal is to amend those zoning designations to fully implement the goals and policies of the Riverside District Master Plan (RDMP). Proposed zoning designations are consistent with the land use pattern described in the RDMP. Proposed allowed land uses, densities, design and development standards all are consistent with the character and relative intensity of development described in the RDMP as follows.

- The proposed code amendments include two mixed use zones which allow for a mix of retail, commercial and residential development. These zones are located in the areas identified for retail and commercial development in the RDMP and are consistent with the acreages identified for those uses in that plan. Allowed uses in those zones correspond to the types of uses recommended in the RDMP.
- The proposed code amendments include application of a Riverside Production Zone which will allow a mix of light industrial, retail and other commercial uses, including wine production and other uses specifically identified as desirable in the RDMP. The area designated for this zone is consistent with the acreage identified for these uses in the plan.
- The proposed zoning applies the Riverside Residential zone to the areas identified for residential development in the RDMP. The proposed new residential zone allows for a wide variety of housing types, requires densities consistent with housing targets established in the RDMP and includes design and development standards which will meet other specific goals and policies of the plan.

Additional findings related to consistency of the RDMP with these goals are included in the response to Policy #6.

4. The waterfront uses are integral to and needed to support the overall development and open space vision of the Master Plan. The City will support the concept of expanding the UGB to coincide with the existing city limits and provide more appropriate zoning to accommodate the urban park, open space and recreational uses identified in the Riverside District Master Plan.

Finding: The proposed zoning districts and allowed uses do not apply to the waterfront area, which is outside Dundee's Urban Growth Boundary (UGB). Each sub-area of the Riverside District will be required to plan for parks, open space and recreational uses prior to any development applications. Expansions of the UGB does not apply to the proposed development code amendments.

5. *The City will adopt the Riverside District Master Plan (June 2011) by reference as a supporting document to the Dundee Comprehensive Plan. The Master Plan is intended to identify a coordinated mix of residential, commercial, tourism and open space and recreational uses that are cohesive and connected with Dundee's larger community vision. The Master Plan includes additional policies that will be applicable to review and approval of future zone changes, detailed master plans and subdivisions within the Riverside District.*

Finding: As the Riverside District Master Plan (RDMP) was adopted as a supporting document to the Comprehensive Plan, this policy does not affect the proposed development code or map changes. Policies within the RDMP were used as guidance when creating the proposed development code.

6. *Because the Master Plan is considered a concept document, the City will consider refinements to the location and arrangement of land uses and other aspects of the Master Plan prior to or in coordination with implementation of Riverside District zoning. Any changes to the concept Master Plan must include the following limitations and components:*

- *A maximum of 20 acres designated for Commercial uses.*
- *A maximum of 13 acres designated for Light Industrial uses.*
- *A mix of housing types and densities, with a target of 970 units in the Riverside District.*
- *In areas where the Riverside District is adjacent to developed, lower density residential areas, the development standards of the lower density zone (maximum heights and setbacks) shall apply to new housing on abutting lots in the Riverside District.*
- *Neighborhood park sites shall be required based on the target of 970 dwelling units according to the standards of the Dundee Parks and Open Space Plan.*
- *A connected trail system shall be required to accommodate the Willamette River Trail, the Chehalem Heritage Trail, and connecting local trails within the Riverside District that link to the larger community trail system.*
- *Cross-sections for trail improvements shall accommodate linear stormwater quality facilities, particularly along the top of the bluff.*
- *A connected local street system with cross-sections specified to encourage sidewalks, planter strips, and street trees. Blocks shall not exceed a maximum length of 400 feet in commercial areas or 600 feet in residential areas.*
- *A parkway collector shall be required to provide a north-south link of development subareas to the east of the Bypass and connections to the two Bypass overcrossings. The cross-section for the parkway collector shall be consistent with the standards in the Dundee TSP.*
- *Riparian corridors shall be protected with a minimum 50-foot setback from the top of bank elevation.*

Finding: The proposed development code promotes the land uses and aspects of the Master Plan as part of the development and use standards for the Riverside District in the following ways.

- Area designated for commercial use. The proposed code amendments include two mixed use zones which allow for a mix of retail, commercial and residential development. These zones are located in the areas identified for retail and commercial development in the Riverside District Master Plan (RDMP) and do not exceed 20 acres. The development code provisions allow for up to 50% of this area to be devoted to residential use to allow for flexibility associated with the development market and to further ensure that the area zoned for commercial use is consistent with relevant Comprehensive Plan policies. However, to ensure for higher densities in these areas, a minimum density of 14 units per acre is required.
- Area designed for industrial uses. The proposed code amendments include application of a Riverside Production Zone which will allow a mix of light industrial, retail and other commercial uses, including wine production and other uses specifically identified as desirable in the RDMP. The area designated for this zone is approximately 13 acres in size as prescribed in the plan.
- Mix and amount of housing types. The proposed zoning applies the Riverside Residential zone to the areas identified for residential development in the RDMP. The proposed new residential zone allows for a wide variety of housing types and requires that each sub-area within the District include at least two types of housing. The Master Planning requirements incorporated in the proposed code amendments require average densities of eight (8) to 11 net units per acre which will result in the number of dwelling units proposed for the Riverside District Plan.
- Development adjacent to developed, lower density areas. The proposed amendments require development within the Riverside District that abuts developed, lower density areas of Dundee to be developed according to the standards of the adjacent lower density zones. The purpose is to provide a transition from the existing developed areas to new development in the Riverside District.
- Neighborhood park sites. The Master Planning requirements incorporated in the proposed code amendments require development of neighborhood parks. They require dedication of land or other provision as allowed through a development agreement to ensure for parks. The land dedication is calculated to implement the City's standards for parks per 1,000 residents and result in a total acreage of parks consistent with the targeted 970 housing units assumed for the Riverside District.
- Connected trail system. The Master Planning requirements incorporated in the proposed code amendments require development of trails identified in the Riverside District Master Plan (RDMP), including the Chehalem Heritage Trail, and connecting local trails.

A list of future action items is listed in the RDMP for implantation of the plan. Action items 17 and 18 relate to development of trails in the Riverside District. These items include coordination with Chehalem Park and Recreation District to discuss parks/trail implementation and completion of a more detailed trail plan as parks and trail easements are dedicated/obtained. The estimated time frame is 1 – 2 years on meeting with CPRD and 5 – 20 years for developing detailed plans. The City of Dundee has begun discussions with CPRD on parks and trails in Dundee, which include the development, ownership, and maintenance of parks/trails in the Riverside District.

- Stormwater management facilities. The public facility provisions of the proposed code amendments require master plans and subsequent development applications to address the City’s stormwater management requirements. These standards include provisions for linear stormwater management facilities.
- Connected local street system, including Parkway Collector. The Master Planning requirements incorporated in the proposed code amendments require development of public facilities needed to serve the area, including local streets, as well as the Parkway Collector road identified in the Riverside District Plan. These code provisions require public facilities to adhere to the City’s design standards for street cross-sections, block lengths for residential development, and other street design standards.
- Riparian corridors. No new protections are proposed with the code amendments. Existing Dundee code regulations limit the type and scale of development within floodplains and the Willamette River Greenway. State and/or federal permits are required for development in/near wetlands and streams.

No changes to these elements have been made as part of the process of preparing and proposing Development Code requirements for the Riverside District. The Master Planning requirements incorporated in the proposed code amendments require that sub-area Master Plans be consistent with the Riverside District Master Plan (RDMP) and that any subsequent inconsistencies proposed in subsequent development applications must be approved by the Dundee Planning Commissions.

7. All development within the Riverside District shall be adequately supported by the required facilities and services, including parks, schools, transportation, water, stormwater and wastewater infrastructure. Implementing ordinances shall provide that:

- *Required facilities and services must be available concurrent with development; and*
- *No implementing zoning map amendment may be granted except upon a finding that all required facilities and services are available, or can be made available, concurrent with development.*

Finding: The proposed development code requires a sub-area master plan be approved prior to any development within the Riverside District. The master planning provisions of the proposed

code require that each sub-area master plan includes a plan for construction of public facilities, including park, transportation, water, sewer, and stormwater facilities.

Section III - Oregon Statewide Planning Goals

Statewide Planning Goal 1: Citizen Involvement (OAR 660-015-0000(1)) – To develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process.

Finding: The City has created proper procedures to ensure citizens the opportunity to have input in any proposed text amendment. Opportunities for public input were available in the hearings process prior to action on this proposal. Notification of this proposal and hearing is detailed in the staff report prepared for the proposed map and code amendments.

Public outreach efforts of the Riverside Zone project included a community meeting held in Dundee for each draft of the code amendments (two meetings), including a virtual public workshop associated with each in-person meeting. The virtual public workshops remained open for approximately two weeks to allow community members an extended period of time to provide input if they were not able to attend the community meeting or had additional comments to make. In addition to these specific virtual public workshops, a webpage with updates on the code process and vision was created to provide ongoing information for the community. A Code Committee, consisting of a variety of representatives of key property owners, private citizens, and decision-makers, reviewed and convened to discuss each draft of the code (three meetings). Code Committee meetings were open to the general public and were conducted in accessible community venues, including the Dundee City Hall and Dundee Fire Station.

In addition to the public outreach held for the proposed code amendments, the proposed code is based on the Dundee Riverside District Master Plan adopted in 2011, which included an open house, advisory committee meetings and outreach, a project website, media announcements, public agency briefings and a four-day design charrette, which included multiple public meetings and opportunities for community members to “drop in”.

The proposed code also requires that any future development obtain approval through a Type III land use application process. This type of process requires a public hearing because the Dundee Planning Commission is the decision maker.

The City has therefore met its obligation of providing for Citizen Involvement under Statewide Planning Goal 1.

Statewide Planning Goal 2: Land Use Planning (OAR660-015-0000(2)) – To establish a land use planning process and policy framework as a basis for all decision and actions related to use of land and to assure an adequate factual base for such decisions and actions.

Finding: The City of Dundee has established a land use planning process and policy framework as a basis for all decisions and actions related to use of land and to assure an adequate factual base for such decisions and actions. The City of Dundee Comprehensive Plan was adopted by the City and acknowledged by the Land Conservation and Development Commission (LCDC) as being in compliance with the statewide goals, state statutes and state administrative rules, in 1977. The Dundee Riverside District Master Plan was found to be in compliance with the City's Comprehensive Plan and was adopted in 2011.

The proposed code will add language implementing the concepts for the Riverside District proposed and adopted in the Riverside District Master Plan. It will include four zones: residential, neighborhood mixed-use, destination mixed-use, and production (light industrial). Each zone will have allowed uses which align with the vision of the Master Plan and have development standards which reflect pedestrian-oriented development.

The proposed code has a specific section for the Site Development Master Plan process (17.204.060.C), which will require a sub-area approach to the entire Riverside District. This approach will require an entire sub-area to have a master plan in place before any development can occur, which will include a plan for infrastructure, public services, land uses, phasing, and housing density and mix.

The new code will allow for mixed use on the site and efficient use of planned extensions of public facilities and services for the site, including transportation, sewer, and water.

In these ways, the proposed application of the new Riverside District zoning and development code are consistent with existing City plan policies and are consistent with Statewide Planning Goal 2.

Statewide Planning Goal 3: Agricultural Lands (OAR660-015-0000(3)) – To preserve and maintain agricultural lands.

Finding: A majority of the land within the Riverside District is zoned Agriculture (A) but is not considered agricultural land as it relates to Goal 3, which is zoned EFU – Exclusive Farm Use. There is EFU land within the Riverside District, but these land are outside the Dundee Urban Growth Boundary (UGB). The proposed map and code amendments do not apply to the EFU zoned land in the Riverside District. In this way, the proposed amendments comply with Statewide Planning Goal 3.

Statewide Planning Goal 4: Forest Lands (OAR660-015-0000(4)) – To conserve forest lands by maintaining the forest land base and to protect the state's forest economy by making possible economically efficient forest practices that assure the continuous growing and harvesting of

forest tree species as the leading use on forest land consistent with sound management of soil, air, water, and fish and wildlife resources and to provide for recreational opportunities and agriculture.

Finding: There are no forest lands within the Riverside District. Statewide Goal 4 does not apply to the proposed amendments.

Statewide Planning Goal 5: Natural Resources, Scenic and Historic Areas, and Open Spaces (OAR660-015-0000(5)) -- To protect natural resources and conserve scenic and historic areas and open spaces.

Finding: No Historic Areas are included within the Riverside District. The new code will include in all calculations for density and development land set aside for Natural Resources and Open Space. In the master plans required for development in any subarea within the Riverside District, open space and any area subject to natural resource preservations must be identified. In this way, the new development code additions are consistent with Statewide Planning Goal 5.

Statewide Planning Goal 6: Air, Water and Land Resources Quality (OAR660-015-0000(6)) -- To maintain and improve the quality of the air, water and land resources of the state.

Finding: The City's existing standards related to water quality resources will continue to apply. The proposed code amendments do not include any map changes or changes to the regulatory approach for water quality resources regulated by Development Code Chapter 17.204 related to the Flood Plain Overlay and Greenway management overlay (GM). No changes are proposed to the public facility requirements in DMC Division 17.300 related to water, sanitary sewer, and storm drainage improvements.

In this way, the new development code additions are consistent with Statewide Planning Goal 6.

Statewide Planning Goal 7: Areas Subject to Natural Hazards (OAR660-015-0000(7)) -- To protect people and property from natural hazards.

Finding: The proposed changes to the Municipal Code do not affect policies associated with Goal 7 within the Riverside District. Approvals for Master Plans or development within the Riverside District will not eliminate the requirement for future development to meet the conditions related to the Dundee Municipal Code (DMC) Chapter 17.204 related to the Flood Plain Overlay.

In this way, the new development code additions are consistent with Statewide Planning Goal 7.

Statewide Planning Goal 8: Recreational Needs (OAR660-015-0000(8)) -- To satisfy the recreational needs of the citizens of the state and visitors and, where appropriate, to provide for the siting of necessary recreational facilities including destination resorts.

Finding: The proposed code amendments will require a Master Plan for each sub-area of the Riverside District. The proposed code requires land owners to plan for parks and recreation facilities within the area, including a detailed description of the size, location, and land provision.

The park requirements for the Riverside District largely align with existing City code and require neighborhood parks to be at least two (2) acres in size for each 1,000 persons, adjacent to residential or non-residential development on at least two streets, free of steep slopes, wetlands or habitat areas, and within at least a quarter mile of all planned residential areas within the area.

In this way, the new development code additions are consistent with Statewide Planning Goal 8.

Statewide Planning Goal 9: Economic Development (OAR660-015-0000(9)) -- To provide adequate opportunities throughout the state for a variety of economic activities vital to the health, welfare, and prosperity of Oregon's citizens.

Finding: The proposed development code will provide a variety of opportunities for economic activities for citizens, including a Mixed-Use zoning designation, which shall be divided into two types of mixed-use zones: Neighborhood and Destination. The Neighborhood Mixed Use zone shall provide neighborhood commercial services, such as retail, service and office uses, and allowing residential development throughout the zone. This area will provide employment for the community, as well as potential customers within a close distance.

The Neighborhood Destination zone will provide potential commercial opportunities that take advantage of the riverside location, including restaurants, lodging and recreation, which will draw customers from a wide variety of places.

In addition to these two commercial mixed-use zones, a light industrial Riverside Production Zone will provide additional economic development by providing opportunities for a range of production, sales, and recreation uses that support tourism and take advantage of nearby open space. The allowed uses are focused on industries and production activities which may have retail on-site, although on-site retail is not required explicitly.

In this way, the new development code additions are consistent with Statewide Planning Goal 9.

Statewide Planning Goal 10: Housing (OAR660-015-0000(10)) -- To provide for the housing needs of citizens of the state.

Finding: The proposed code amendments will allow for a full range of housing types in the Riverside District, from single-family large lot housing to dense affordable housing, as well as independent and assisted living for seniors and group homes. Each sub-area Master Plan will require a minimum average housing density of 8 units per net acre, unless another sub-area already approved by the City has a housing density in excess of 11 units per acre, provided the combined average area density is between 8 and 11 units per net acre.

Each residentially zoned area within the Riverside District will be required to include at least two types of housing, assuring that a variety of housing is provided. The proposed code includes minimum thresholds for the number of housing units identified for each of the two types. The combination of density and housing mix requirements has been formulated to ensure that future residential development will include a mix of housing types and sizes that have the potential to meet the needs of residents with a variety of incomes and household sizes and structures.

In addition to the Master Plan requirements for housing density and variety, a housing bonus is allowed within the residentially zoned area if the developer meets additional requirements. The developer will be able to choose from affordable housing, additional amenities for residents, or meeting a LEED silver standard for sustainable building practices.

In this way, the new development code additions are consistent with Statewide Planning Goal 10.

Statewide Planning Goal 11: Public Facilities and Services (OAR660-015-0000(11)) -- To plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural development.

Finding: No Comprehensive Plan designations are proposed to be updated. The proposed code amendments build on work conducted early in the Riverside District Master Plan and ensure that public facilities will be provided as development occurs to adequately serve it. Each sub-area within the Riverside District will be required to have a Development Master Plan approved prior to any development being approved within that area.

The Master Plan will require public facilities and services to be planned for, including development agreements, phasing, housing and use planning, and water, stormwater and wastewater provisions. Transportation, parks and all other services must be planned for during this phase before development may start.

Because a plan to finance public infrastructure improvements has not been drafted or approved, the Planning Commission recommendation is to accept the proposed zoning to

implement the adopted Riverside District Master Plan. Additional public hearings to consider adoption of the amendments will happen in the future once financing is secured.

In this way, the new development code additions are consistent with Statewide Planning Goal 11.

Statewide Planning Goal 12: Transportation (OAR660-015-0000(12)) -- To provide and encourage a safe, convenient and economic transportation system.

Finding: Oregon Statewide Planning Goal 12 is implemented by OAR 66-012-0060(1), which states:

“Amendments to functional plan, acknowledged comprehensive plans and land use regulations which significantly affect a transportation facility shall assure that allowed land uses are consistent with the identified functions, capacity and performance standards (i.e. level of service, volume to capacity ratio, etc) of the facility.”

OAR Section 660-012-0060(2) states that to determine if a proposed use significantly affects a transportation facility the following must be found:

“(a) Changes the functional classification of an existing or planned transportation facility;

(b) Changes standards implementing a functional classification system;

(c) Allows types or levels of land uses which would result in levels of travel or access which are inconsistent with the functional classification of a transportation facility; or

(d) Would reduce the performance standards of the facility below the minimum acceptable level identified in the TSP.”

No changes to the Comprehensive Plan designations are proposed to be updated; therefore, significant provisions of the Transportation Planning Rules are not applicable.

The City of Dundee underwent a Transportation System Plan update in July 2015. During this time, the Transportation Planning Rules compliance were addressed. The proposed amendments and zoning designations within the new Riverside District are consistent with development assumptions and traffic analysis with the TSP and earlier Master Planning efforts.

In this way, the new development code additions are consistent with Statewide Planning Goal 12.

Statewide Planning Goal 13: Energy Conservation (OAR660-015-0000(13)) -- To conserve energy.

Finding: The proposed code amendments and zoning designations within the Riverside District will incentivize conservation of energy in multiple ways. Residential design standards will incentivize renewable energy and energy conservation by giving additional height bonuses to LEED silver building. All multifamily residential or buildings within the mixed use zones will be required to meet a wide variety of sustainability requirements, including energy conservation and renewable energy.

In this way, the new development code additions are consistent with Statewide Planning Goal 13.

Section IV- Consistency with Riverside District Master Plan Policies

Land Use

- 1. The Riverside District Master Plan identifies the approximate location and acres of general land use categories by subarea (See Figure 2 and Table 2). Through the detailed master plan and subdivision process, the applicant shall have the ability to propose minor changes between the boundaries of the use areas, consistent with the overall target housing units and non-residential floor area allocated to the subarea.*
- 2. When a partition or subdivision application is submitted for a subarea, even if it only includes a smaller first phase of development, a detailed master plan shall be submitted for the entire subarea to show the layout of streets and more precise location of the neighborhood park (if a conceptual location is shown on the approved Master Plan for the Subarea). The detailed master plan will provide the tool to track the target housing units and maximum non-residential floor area consistent with the allocations by subarea in Table 2.*
- 3. A mixture of different building types is encouraged within the residential areas (e.g. single family residential, duplex, attached single family residential, multi-family). Outside of the overall target number of housing units specific for each subarea, it is expected that the Riverside District Zone will provide broad flexibility for a mix of housing types and lot sizes. The detailed master plan shall identify lots intended for attached and multifamily housing. To ensure efficient use of land in the Riverside District, an average density of 10 units per acre is established. Lot sizes may be averaged and densities may be shifted between subareas to provide flexibility to meet changing housing and market needs.*
- 4. Development within subareas designated for commercial, mixed use and light industrial uses in Subareas A, B and D shall be consistent with the standards included in the Riverside District*

Zone (when adopted), including limitations on certain uses, maximum building size and basic design standards.

5. The approved Master Plan assumed certain categories of commercial and light industrial uses would be appropriate in the Riverside District. While the Riverside District Zone will provide some flexibility for the City to allow “similar uses” through a Type I-B review, a major change in the list of permitted and conditional uses will require Type II Planning Commission approval or a Type IV Development Code text amendment.

6. The Master Plan identifies a conceptual location for a potential golf course. While a golf course is considered an appropriate use in the Riverside District, conditional use approval is required to review the layout of the golf course relative to public trails and access to the riverfront. Additionally, conditional use approval is required for any portion of the golf course located within Dundee’s Exclusive Farm Use (EFU) zone. Through the conditional use review process, the City shall also encourage the use of recycled wastewater or on-site water sources for golf course irrigation to avoid pressure on the City’s domestic water supply sources. Based on input from the Department of Land Conservation and Development, development of a golf course on Dundee’s designated EFU land may require a goal exception or UGB amendment.

7. The City will support a future UGB amendment application to include Subarea G within Dundee’s UGB to accommodate the open space and recreational uses identified in the Riverside Master Plan. The location of this subarea inside of the city limits but outside of the UGB complicates land use jurisdiction.

8. If the School District identifies a need for future school(s) within the Master Plan area, appropriate site(s) shall be identified consistent with the policies of the Dundee Comprehensive Plan and/or School District Facility Plan.

9. The Riverside District Master Plan does not designate potential school sites and the transportation analysis did not assume development of a school in any of the subareas. At a minimum, development of a public school within the Riverside District would require conditional use approval and a full traffic analysis.

Findings:

Changes to the location and acres of general land use categories by subarea. The proposed code amendments establish zoning designations that correspond to the general areas and approximate locations of land uses described in the Riverside District Master Plan (RDMP). The proposed Development Code provisions provide for flexibility in the boundaries of use areas and amount and density of development in the following ways:

- Section 17.204.060.F(1) of the proposed Riverside Master Plan (RMP) Development Code provisions states that “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.” This provides for flexibility in the density and location of residential development.

- Section 17.202.020 allows for residential uses to be developed in the mixed use zones, allowing for flexibility in the locations of residential and non-residential uses. Section 17.203.260.C(1) states that *“Up to 50 percent of the net area designated as Riverside Mixed Use Zones (RN and RD) in a Site Development Master Plan may be developed with residential-only uses, i.e., no commercial or industrial component.”* This ensures that some land in these areas will be reserved for non-residential development, while allowing for changes in the location and total acreage devoted to non-residential uses. A minimum 14 units per acre is required to ensure for higher densities in these mixed use zones.
- No changes are proposed to the acreages of general land uses. The proposed zoning adheres to the adopted Riverside District Master Plan in location and acreage. The target average density of 10 units per acre will be met and maximum acreage of commercial within subareas will not be exceeded.

Detailed master planning requirements. Section 17.204.060.C of the proposed Development Code provisions requires that *“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.”* In addition, section subsection (2) of the same section stipulates that *“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.”* To ensure some flexibility in these requirements and make sure that one smaller property owner cannot prevent owners of a majority of land within a subarea to move forward with a sub-area master plan, this section also states that *“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.”* Collectively, these standards ensure that when a partition or subdivision application is submitted for a subarea, even if it only includes a smaller first phase of development, a detailed master plan shall be submitted for the entire subarea.

Additional provisions referenced in the following findings also address requirements for the Master Plan to show the location of future public facilities and the number and type of housing units proposed which can be used as a tool to track the development of housing relative to RDMP targets.

Mix of housing types and densities. The proposed Development Code provisions includes a number of provisions that achieve the policy direction in the RDMP associated with the mix and density of housing, including:

- Amendments to DMC Section 17.202.020 allow for a wide variety of housing types in the new Riverside Residential zone, including single-family detached homes, duplexes, triplexes, other attached housing, multi-family housing, manufactured home parks, residential care homes and residential care facilities. Compact detached dwellings, multi-family housing and live-work housing also are allowed in the new mixed use zones in the Riverside District, as are residential care homes and residential care facilities.
- Section 17.204.060.E requires that each sub-area within the District include at least two types of housing and establishes thresholds for the amount of a second form of housing if it is in addition to single-family detached housing.
- Section 17.204.060.F requires average densities of eight (8) to 11 net units per acre which will result in the number of dwelling units proposed for the Riverside District Master Plan. This density range also will help ensure a mix of housing of different types and densities. This and other proposed Development Code provisions allow for lot size averaging within a proposed master planning area. This section also allows for averaging across sub-areas, stating that *“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.”*

Standards for commercial and light industrial uses. The proposed code amendments apply existing city design standards to uses within the proposed new mixed use and production zones in the Riverside District. The City has determined that these standards are appropriate for the types and scale of uses proposed to be allowed in these areas. Standards include setbacks, height limits, and other basic development standards, as well as architectural design standards. The city has identified a proposed set of allowed uses in these areas through extensive discussion with an advisory Code Committee, the Dundee Planning Commission and other community members. These uses are similar to and consistent with the range of uses identified for these areas in the RDMP and none of the proposed allowed uses represent a major change in the uses identified in that Plan.

Other proposed facilities or uses. The proposed amendments are only applicable to the areas within the City’s existing Urban Growth Boundary. They do not include any specific proposed facilities such as a new elementary school. However, elementary and middle schools are allowed as conditional uses within the proposed new RR, RN and RD zones. As a result, the proposal is consistent with or not applicable to policies 6 through 9 of the Land Use Policy section of the RDMP.

Transportation

1. *The Riverside District Master Plan accommodates the development of the Bypass in the location shown in the Tier 2 Draft Environmental Impact Statement (Tier 2 DEIS) and the Dundee*

TSP. ODOT shall acquire all right-of-way needed for the Bypass and the overcrossings and construct the facilities.

2. The City and the affected property owners will continue to coordinate with ODOT on the location and design details for the overcrossings and landscaping of the berms. The City will advocate for a design that maximizes the developable area in the Riverfront District and reduces the visual impact of the Bypass.

3. An interconnected street system shall be provided within and between residential, commercial, and mixed use areas. Because local streets may be extended on an incremental basis in some subareas, it may be necessary to accept temporary dead-ends or “stub streets” that will be extended when future development occurs.

4. All streets shall be built to established standards for street connectivity and block length as set forth in Chapter 2.202 of the Development Code. Street standards in the Riverside District Zone shall supersede TSP or Development Code standards where they conflict.

5. The collector to the east side of the Bypass shall be developed to a “parkway” standard to integrate the subareas and help establish the overall design character of the Riverside District. In addition to providing internal connections east of the Bypass, construction of this road will ensure that all subareas east of the Bypass would have two ways to cross the Bypass, which is important for safety and emergency service reasons.

6. Street trees shall be required in all subareas of the Riverside District. Street trees shall be installed and maintained to the standards specified in the Development Code.

7. No private streets shall be allowed in the Riverside District.

8. Developers will be allowed and encouraged to construct green street features on local and collector streets to reduce the amount of stormwater entering local rivers and streams, reduce demand on the city’s infrastructure and improve water quality. Modifications to street standards will be allowed without a variance at the subdivision phase if a developer proposes green street features that are approved by the City Engineer and Planning Commission.

9. Where cul-de-sacs are constructed, they shall comply with the maximum length standards in Section 2.202 of the City of Dundee Development Code. A pedestrian and bicycle connection may be required between the end of the cul-de-sac and the nearest local street to provide connectivity.

10. Sidewalks shall be provided along both sides of all streets. Where a wider multi-use path is provided (for example, on the side of the Parkway Collector adjacent to the Bypass or on the urban side of the Fulquartz Landing Road frontage), the multi-use path shall replace the required sidewalk.

11. A pedestrian/bicycle pathway shall be accommodated under the Bypass structure located near 10th Street to provide an ADA accessible connection between Dundee and the Riverside District. The City of Dundee may pursue grants to fund construction of this undercrossing. ODOT has committed that the Bypass design will accommodate the pedestrian/bicycle pathway.

Findings:

Newberg Dundee Bypass. The proposed code amendments do not directly address the location, design, construction, or coordination associated with the Newberg Dundee Bypass. Therefore, Transportation policies 1 and 2 are not applicable to the proposed code amendments.

Street standards. Section 17.204.060.D(4) of the proposed Riverside District Master Plan (RDMP) Development Code provisions require that sub-area master plans include a preliminary layout and sizing of infrastructure and public facilities, including transportation facilities. Section 17.204.060.G states that all standards of Chapters 17.301 and 17.305 apply, except that private streets will be permitted only for alleys with public access. All other streets within the Riverside District Overlay must be public streets. These and other city standards applicable to future development in the Plan District govern street system design, including street cross-sections, block lengths, cul-de-sacs and other local street design issues and are consistent with Transportation policies 3-9 and 10 of the District Plan.

The City's Transportation System Plan has been updated to identify the Parkway Collector road within the Riverside District as a needed transportation facility and includes a cross-section design standard for that road. Section 17.204.060.

Green Street Stormwater Management. Section 17.204.060.D(4) note that sub-area Master Plans will include information about the location of "*rights-of-way proposed for dedication or vacation; water, wastewater and stormwater infrastructure improvements; and stormwater management plan.*" Development applications for future development within the Riverside District will be subject to the City's existing stormwater management requirements and standards which allow for and encourage use of green street stormwater management facilities. In addition, the Sustainability Design matrix in DMC Section 17.202.080 identifies use of green stormwater management as one option for meeting sustainable design requirements.

Pathway under Newberg Dundee Bypass. The proposed code amendments include provisions for shared use paths identified in the RDMP including pathway under the Newberg Dundee Bypass.

Water, Wastewater and Stormwater

1. *Public facilities for the Riverside District shall be planned, designed and constructed in accordance with adopted Public Facility Master Plans for water, wastewater and stormwater.*

2. *Each subdivision or development application shall show that its water, wastewater and stormwater requirements can be met adequately by infrastructure that is in place or will be in place at the time of occupancy. The City Engineer shall review and confirm the adequacy of infrastructure plans prior to City approval of the land use application. As a general policy, the City requires that developers bear the cost of infrastructure improvements required to support their project.*

3. *As authorized by ORS 94.504, the City may require City Council approval of Development Agreements as a condition of subdivision or development application approval to allow the city and an applicant to coordinate in the provision of facilities to serve the development. The Development Agreement may require specific performance conditions for development of the property. These performance conditions may include, but are not limited to, construction of public facilities, dedication or reservation of land for right-of-ways, easements, or parks, or other conditions proper for the development.*

4. *Planning for water use should incorporate techniques and systems for water reuse and conservation to the greatest degree practical, including potential reuse of wastewater for irrigation or other purposes.*

5. *The City will encourage natural stormwater drainage systems designed to manage and filter as much stormwater on site as reasonably possible and to incorporate natural drainage and management techniques. Examples and illustrations of low impact development approaches that may be appropriate in the Riverside District are included in the Background Conditions Report, Charrette Report, and Land Use Alternatives Report in Appendix B.*

Findings:

Public Facilities. Section 17.205.060.D.4 of the proposed amendments requires that a Master Plan be prepared and approved for a given sub-area prior to approval of any development within that sub-area. Included in the list of required elements of each sub-area master plan is the preliminary layout and sizing of infrastructure and public facilities. Site plans must show the location, size, and dimensions of existing and proposed structures, water, wastewater and stormwater infrastructure improvements; stormwater management plan; and any proposed temporary uses during construction and phasing of development. Section 17.205.060.J.2(f) of the proposed code requires that any subsequent subdivision or development applications submitted must be consistent with the master plan in terms of the location of alignments and connections of proposed facilities; and that proposed water, sanitary sewer, and storm drainage facilities be sized to provide adequate capacity to serve proposed uses in the area as determined by the City Engineer.

Water Conservation. Section 17.202.060.C and G require that within both the Neighborhood Commercial and Neighborhood Residential zones, the proposed code requires sustainability standards. These standards are replicated for multifamily housing in the Riverside Residential area, shown in Section 17.202.080.F. The applicant can choose from a list of sustainability features, so long as they meet a certain number of points. Among this list are the separate options of: using native plants, stormwater management integration with the site, green roofs, low-water irrigation systems, permeable paving, or LEED Certification. In addition to this, multifamily homes may apply for a fourth floor, provided they meet additional standards. LEED Silver Certification is one of the options that can be used to obtain a height bonus. These requirements will serve to encourage use of natural stormwater drainage systems designed to manage and filter as much stormwater on site as reasonably possible and to incorporate natural drainage and management techniques.

Parks, Open Space and Trails

- 1. A minimum of three neighborhood parks shall be established within Subareas C, D, and F as shown in Figures 1 and 2 of the Riverside District Master Plan and based on the housing target of 970 dwelling units. The specific location and size of each neighborhood park shall be refined through the detailed master plan and subdivision process. However, each neighborhood park site shall be consistent with the location and size criteria in the adopted Dundee Parks and Open Space Master Plan and the Neighborhood park sites shall be developed in accordance with the provisions of the Parks and Open Space Zone (Chapter 2.111) of the Development Code. The City shall collaborate with Chehalem Parks and Recreation District (e.g. IGA) on Riverside District park and trail issues such as dedication, improvements, standards, maintenance, etc.*
- 2. A regional riverside park is planned in Subarea G as shown on Figure 1. The existing sloped, wooded area within the riverside regional park area shall generally be protected in a natural state as part of future park development. This wooded area may contain trails or other passive recreational facilities (e.g., interpretive features).*
- 3. Planning for the regional riverside park shall be coordinated between the City of Dundee and the Chehalem Park and Recreation District. Additionally, planning shall include coordination with the Oregon Department of Parks and Recreation to ensure opportunities to connect to a potential future state park on Ash Island, should such a park be developed.*
- 4. Figure 1 of the Riverside Master Plan shows development of a “nature park” on city-owned property to the north of the wastewater treatment plant facilities. Development of this park should be consistent with the conceptual park plan approved by the City Council.*
- 5. The Riverside District Master Plan establishes a buffer around the Canyon Lake Natural area, extending to approximately the 150-foot elevation line to the south and west of this area (see Figure 6). Within this area, human access and activity will be restricted to help protect habitat*

for two turtle species – the Western Painted and Western Pond Turtles. In addition, a secondary, additional riparian buffer of approximately 50 feet is established beyond the 150-foot elevation line, within which uses will be limited to natural resource protection, open space and passive recreation, such as walking and bicycling. A pedestrian and bicycle pathway may be constructed within this riparian buffer area.

6. The Riverside District Zone will protect riparian areas by using a regulatory approach consistent the State of Oregon’s Goal 5 safe harbor approach (50 foot setback from top of bank), and by allowing developers (if they want an alternative to the safe harbor approach) to inventory riparian and other natural resources and identify alternative measures to protect them, consistent with the goals and requirements of the this Master Plan, as well as the city’s Comprehensive Plan and Development Code.

7. A linked trail system shall be developed within the Riverside District and integrated with plans for the Willamette Greenway Trail and Chehalem Heritage Trail as shown on Figures 1 and 3. Through the subdivision and development permit process, the City of Dundee may require dedication or easements to accommodate the development of the trail system. In general, 30-foot wide easements will be adequate to accommodate 10-foot wide multipurpose trails. As noted above, a wider 50-foot easement will be required along the designated riparian corridors.

8. Locations of trail connections and associated riverfront recreational opportunity areas are conceptual and will be further detailed as future Action Items.

9. The City will support “green” development approaches, including co-location of stormwater swales in parks and along linear trail corridors to reduce land needs and costs and create opportunities for education, amenities, and recreational activities.

Findings:

Neighborhood Parks. All parks, trails and open space must meet the same development standards in Section 17.203.130 of the existing code. As stated in the proposed code amendments, Section 17.204.060.H, each site development master plan that includes residential development must provide land for neighborhood parks, at a dedication of at least two (2) acres per 1,000 persons. Parks must be adjacent to at least two streets which will have development on the other side; must not be within 200 feet of the Right-of-way of the Newberg-Dundee Bypass; must be free of excess slopes, wetlands, or wildlife habitat areas; and must be located within one half-mile of all planned residential areas within the development’s master planned area.

Park Agency Coordination. Section 17.204.060.I of the proposed new development code for the Riverside District requires each sub-area Master Plan to include the applicant entering into a Development Agreement with the City of Dundee regarding public facility improvements, including parks. This will require coordination between the City of Dundee and the Chehalem Park and Recreation District to provide planning for development and

ongoing maintenance of said park. As stated above, the parks will be subject to Section 17.203.130, which states in section F(13), "Such other conditions as will make possible the development of the city in an orderly and efficient manner in conformity with the Dundee comprehensive plan, Dundee parks and open space plan, the Dundee development code, and the 2005 Edition of Park, Recreation, and Leisure Facilities Site Planning."

Riparian Area Protection. Section 17.204.060.H.6 of the proposed code requires all parks to not include more than 80% of the area to be free of wetlands, stream corridors, or designated wildlife areas of established buffers. Section 17.204.060.D.8(b) requires that all estimates of gross and net developable acres within each subarea will include identification of areas subject to natural resource protection, parks, and trails. Furthermore, approval of sub-area master plans requires consistency with the Riverside District Plan which identifies buffers for stream corridors and the Canyon Lake area.

Trails. Per Section 17.204.060.D.5, all sub-area master plan submissions for development must include proposed locations, sizes, boundaries, and alignment of trails, open spaces and park lands, as well as area subject to natural resource protection requirements.

Dedications and Easements. Per Section 17.040.060.D.4, all rights-of-way proposed for dedication are determined during the sub-area master plan process, which will require approval by the Dundee Planning Commission. The plan will also must include a preliminary layout and sizing of public facilities, including the pedestrian, bicycle and vehicle circulation systems. The Planning Commission is the reviewing body, who will consider other consistency with planning documents within the City, including the *Dundee Comprehensive Plan*, the *Dundee Parks and Open Space Plan*, and the *Dundee Development Code*, and the *2005 Edition of Park, Recreation, and Leisure Facilities Site Planning*.

All development of trails, parks, and open space are subject to existing code section 17.203.130, which includes requirements for the provision of pedestrian access through a right-of-way dedication of a public access easement. Proposed code sections 17.204.060. H & I include provisions related to parks and shared use pathways in the Riverside District.

Sustainable Development. Section 17.202.060.C and G require that within both the Neighborhood Commercial and Neighborhood Residential zones, the proposed code requires sustainability standards. These standards are replicated in multifamily housing in the Riverside Residential area, shown in Section 17.202.080.F. The applicant is able to choose from a list, so long as they meet a certain number of points. Among this list are the separate options of: using native plants, stormwater management integration with the site, green roofs, low-water irrigation systems, permeable paving, or LEED Certification. In addition to this, multifamily homes may apply for a fourth floor, provided they meet additional standards. Of this, LEED Silver Certification is an option.