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DUNDEE RIVERSIDE ZONING CODE

## Riverside District Code Amendments: Framework Draft

*April 16, 2018*

### INTRODUCTION

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This document lays out a “framework” for draft development code amendments to implement the Riverside District Master Plan (RDMP). This means that the structure and outline reflect the existing code structure. We’ve identified with a yellow background where new code language is proposed to be incorporated. At this stage specific ideas and recommendations are captured in lay terms, rather than formal code language. Throughout this document, commentary boxes are used to explain the rationale for recommendations and identify key questions to resolve in moving to the next draft. Excerpts of the existing code are included where needed for context. Because this document is quite long and development code language can be challenging to read and interpret, we suggest focusing on the commentary and discussion questions, and reviewing the draft code text related to issues of interest. An outline of the sections that may be of particular interest to the Code Committee is provided below. Areas most important for Code Committee review and discussion are shown in **bold** below.

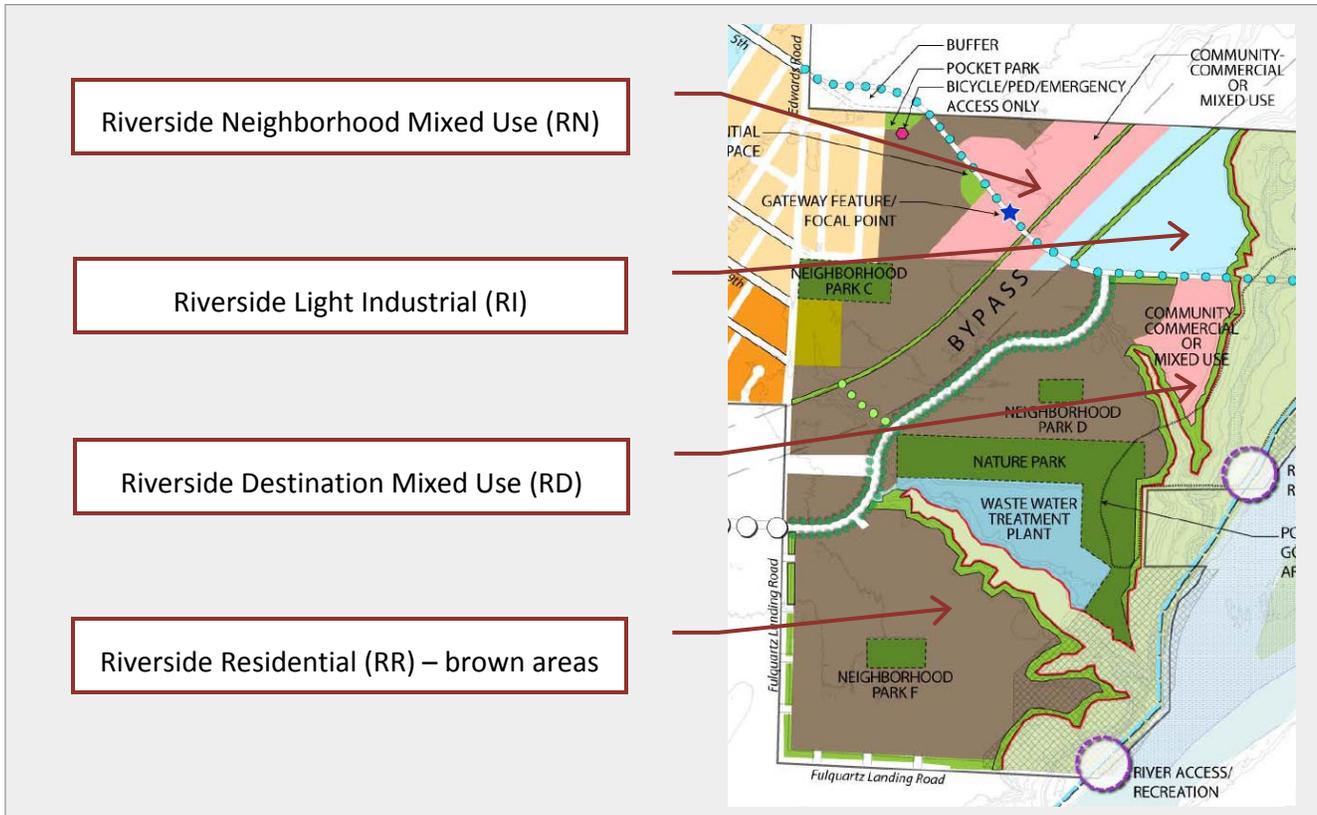
- Commentary – Summary of New Zones: page 2
- Commentary – Summary of Residential Uses: page 4 (followed by a discussion question)
- **Commentary – Summary of Commercial Uses: page 9 (followed by a discussion question)**
- **Commentary – Summary of Industrial and Mixed Employment Uses: page 13 (followed by a discussion question)**
- **Commentary – Minimum Lot Area and Maximum Residential Density: page 19 (followed by a discussion question)**
- Commentary – Maximum Height: page 22 (followed by a discussion question)
- Commentary – Fence Standards: page 25 (followed by a discussion question)
- Proposed new section 17.202.080 Residential design standards in the Riverside District. Begins on page 29.
- Proposed new section 17.203.260 Residential Development in Riverside Mixed Use Zones. Begins on page 32.
- **Proposed new section 17.204.060 Riverside District overlay (RD). Begins on page 33.**

## CHAPTER 17.202 ZONING REGULATIONS

### 17.202.010 Purpose.

**Commentary – Summary of New Zones:**

Four new zones are proposed: Riverside Residential (RR), Riverside Neighborhood Mixed Use (RN), Riverside Destination Mixed Use (RD), and Riverside Light Industrial (RI). These are envisioned to be applied consistent with Figure 1 of the RDMP, an excerpt of which is shown at the top of the following page, with notes about the proposed zoning designations. In addition, the code would establish an overlay zone over the entire Riverside District. The overlay zone would contain master plan requirements and other special standards for the District. The new Riverside zones will need names and purpose statements, which will be added to 17.202.010. Purpose statements draw from the RDMP.



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. The area is intended to be neighborhood-serving with a village scale.

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 Light Industrial Zone (RI). The RI 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.

### Commentary – Overview and Use Table Structure:

The Riverside District Zones will be either added to the existing zoning use table, or it may be split into two tables or otherwise modified for sake of readability (e.g. moving the Special Use Requirements out of the table). For now, the existing table is shown with the Riverside District zones added; the existing Public and Agriculture zones are not shown for sake of readability, but the existing residential, commercial and employment zones are shown for comparison. Relevant new and updated use limitations are in Chapter 17.203, starting on page 31. For purposes of this draft, the table has been broken up into sections (e.g. Residential Uses, Public and Institutional Uses, etc.) so that commentary can be inserted following each category of uses. Discussion questions for this section are below.

Legend for Table 17.202.020:

P: Permitted use

CU: Conditional use

S: Special use requirements apply

N: Use is not permitted

### Commentary – Summary of Residential Uses:

- **RR zone:** Allows single family homes, duplexes, townhomes, multifamily, and residential care homes & facilities; manufactured dwelling parks allowed subject to existing special standards (similar to the City's existing R-3 zone). This is consistent with the RDMP, which envisions a mix of housing types.
- **RN & RD zones:** Allows dwellings above ground floor commercial without limitation; allows multifamily dwellings, duplexes, residential care homes & facilities, Compact Detached Dwellings, and townhomes subject to limitations found in a new section at 17.203.260 on page 32 on the percent of developable area in the master plan that can be developed with residential uses. This is consistent with the RDMP's guidance that these areas have flexibility for vertical and horizontal mixed use (meaning that residential development may be located above commercial

development or next to it) and input from the Code Committee to keep some requirement for commercial uses in these areas (versus allowing them to be developed with only residential uses).

- **RI zone:** Only live/work dwellings are permitted (caretaker dwellings are also allowed, but these are listed under industrial uses in the existing code – see page 13).

Note that adding new housing types to the use table – Compact Detached Dwellings and Live/Work Dwellings – means that the code must state how they are regulated in the City’s existing zones as well as the new Riverside District zones. For now, Compact Detached Dwellings are not proposed to be allowed in the existing zones, but Live/Work Dwellings are proposed to be allowed in the C and CBD zones, subject to the same limitations as other residential development in those zones.

**Discussion Question:**

- Are any limitations or special standards needed for live/work dwellings in the RI zone (e.g. additional landscaping / buffering on lot lines not shared with other live/work dwellings, additional sound-proofing, etc.)?

Table <a href="#">17.202.020</a> : 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	RI	
A. Residential Uses											
Single-Family Dwelling, including manufactured homes subject to DMC <a href="#">17.203.100</a>	P	P	P	S	S	N	P	N	N	N	DMC <a href="#">17.203.190</a> in commercial zones
Two-Family (Duplex) Dwelling, Single-Family Attached Dwelling	N	S	S	S	S	N	P	S	S	N	DMC <a href="#">17.203.080</a> , DMC <a href="#">17.202.040</a> (G) for single-family attached DMC <a href="#">17.203.190</a> in commercial zones DMC 17.203.260 in Riverside mixed use zones
Zero Side Yard Dwellings (Townhouse or Single-Family Detached)	N	N	S	N	N	N	P	S	S	N	DMC <a href="#">17.202.040</a> (G) DMC 17.203.260 in Riverside mixed use zones

Table <a href="#">17.202.020</a> : 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	RI	
Compact Detached Dwelling	N	N	N	N	N	N	P	S	S	N	DMC <a href="#">17.203.260</a> in Riverside mixed use zones
Manufactured Dwelling Park or Mobile Home Park	N	N	S	N	N	N	S	N	N	N	DMC <a href="#">17.203.110</a>
Multifamily Dwelling	N	N	P	S	S	N	P	S	S	N	DMC <a href="#">17.203.120</a> in residential zones; DMC <a href="#">17.203.200</a> for ground floor multifamily in commercial zones; DMC <a href="#">17.203.190</a> for existing residential uses in commercial zones DMC <a href="#">17.203.260</a> in Riverside mixed use zones
Live/Work Dwellings	N	N	N	S	S	N	N	S	S	P	DMC <a href="#">17.203.260</a> in Riverside mixed use zones
Dwelling(s), above permitted ground floor commercial	N	N	N	P	P	N	N	P	P	S	
Boarding, Lodging, or Rooming House	N	N	P	N	N	N	N	P	P	N	
Home Occupation	S	S	S	S	S	N	S	S	S	S	DMC <a href="#">17.203.090</a> , DMC <a href="#">17.203.180</a> in EFU
Family Child Care Home	P	P	P	P	P	N	P	S	S	N	DMC <a href="#">17.203.260</a> in Riverside mixed use zones
Residential Care Home	P	P	P	S	S	N	P	S	S	N	DMC <a href="#">17.203.190</a> for existing residential uses in commercial zones DMC <a href="#">17.203.260</a> in Riverside mixed use zones
Residential Care Facility	N	N	P	S	S	N	P	S	S	N	DMC <a href="#">17.203.200</a> for ground floor multifamily and residential care facilities in commercial zones DMC <a href="#">17.203.260</a> in Riverside mixed use zones

**Commentary – Summary of Public and Institutional Uses:**

- **RR zone:** Generally similar to existing residential zones – many public and institutional uses (e.g. churches, day care facilities, schools, community buildings) are conditionally allowed; some facilities with greater potential impacts (e.g. emergency service facility, hospital, mortuary, colleges) are prohibited. Small parks are allowed outright.
- **RN & RD zones:** Generally similar to existing commercial zones – most public and institutional uses are allowed outright; some are allowed conditionally (e.g. cemetery, colleges, and larger utility facilities). A few uses are prohibited (e.g. hospital, mortuary). The only difference between the zones is on emergency service facilities, which are allowed outright in the RN zone but conditionally in RD.
- **RI zone:** Some public and institutional uses allowed conditionally (e.g. cemetery, church, community building, emergency service facility, and commercial schools). Most others prohibited. Small parks are allowed outright.

Table <a href="#">17.202.020</a> : 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	RI	
B. Public and Institutional Uses											
Cemetery	CU	CU	CU	N	N	N	CU	CU	CU	CU	
Church	CU	CU	CU	P	P	N	CU	P	P	CU	DMC <a href="#">17.203.180</a> , see limits in OAR 660-33 in EFU
Community Building	CU	CU	CU	P	P	N	CU	P	P	CU	DMC <a href="#">17.203.180</a> , see limits in OAR 660-33 in EFU
Club, Lodge, or Fraternal Organization	CU	CU	CU	P	P	N	CU	P	P	CU	
Day Care Facility, Preschool	CU	CU	CU	P	P	N	CU	P	P	N	
Emergency Service Facility	N	N	N	P	CU	N	N	P	CU	CU	DMC <a href="#">17.203.180</a> , see limits in OAR 660-33 in EFU
Hospital	N	N	CU	P	N	N	N	N	N	N	
Mortuary	N	N	N	P	N	N	N	N	N	N	

Table <a href="#">17.202.020</a> : 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	RI	
Nursing Home	N	N	CU	N	N	N	CU	P	P	N	DMC <a href="#">17.203.260</a> in Riverside mixed use zones
Parking Facility	N	N	N	P	P	P	N	CU	CU	CU	
Parks Not to Exceed One-Half Acre, including Playgrounds, Trails, Nature Preserves, Athletic Fields, Courts, Swim Pools, including Accessory Buildings and Structures	P	P	P	P	P	N	P	P	P	P	DMC <a href="#">17.203.130</a> , DMC <a href="#">17.203.180</a> in EFU, see limits in OAR 660-33 in EFU
Parks Greater Than One-Half Acre, including Playgrounds, Trails, Nature Preserves, Athletic Fields, Courts, Swim Pools, including Accessory Buildings and Structures	S	S	S	S	S	N	S	S	S	S	DMC <a href="#">17.203.130</a> , DMC <a href="#">17.203.180</a> in EFU, see limits in OAR 660-33 in EFU
School, College or Vocational	CU	CU	CU	CU	CU	N	N	CU	CU	CU	
School, Commercial	N	N	N	P	P	N	N	P	P	CU	
School, Elementary or Secondary	CU	CU	CU	N	N	N	CU	P	P	N	
Solid Waste Disposal and Recycling Sites and Facilities, except as accessory to a permitted use	N	N	N	N	N	CU	N	N	N	N	
Utility, Area	CU	CU	CU	CU	CU	P	CU	CU	CU	P	
Wireless Communication Facilities	CU+S	CU+S	CU+S	CU+S	CU+S	S	CU+S	CU+S	CU+S	CU+S	DMC <a href="#">17.203.170</a> , DMC <a href="#">17.203.180</a> in EFU, see limits in OAR 660-33 in EFU
Transportation Facilities, per DMC <a href="#">17.501.020</a>	P	P	P	P	P	P	P	P	P	P	See limits in OAR 660-033 in EFU
Transit Centers and Park-and-Ride Lots	CU	CU	CU	CU	CU	CU	CU	CU	CU	CU	

**Commentary – Summary of Commercial Uses:**

- **RR zone:** Similar to existing residential zones, vacation rentals and Bed and Breakfast Inns are proposed to be allowed (with conditional use review for more four or more bedrooms); other commercial uses prohibited. This is consistent with the intent in the RDMP for these to be residential neighborhoods, with commercial uses accommodated in the commercial/mixed use areas.
- **RN and RD zones:** Both are similar to the existing CBD zone, most commercial uses are proposed to be allowed; though there are a few differences / exceptions, such as marijuana uses (prohibited) and bed and breakfast and vacation rentals (subject to limitations on residential uses). Differences between the zones include auto parts and accessory sales and garden supply / greenhouses, which are prohibited in RD but allowed (outright or conditionally) in RN, and golf courses, which are prohibited in RN but allowed (conditionally) in RD. Note that most commercial uses are subject to restrictions on drive-through facilities (found in 17.203.070 – see page 31) that currently apply to the CBD zone. This is consistent with the RDMP guidance that the area covered by the RN zone accommodate “a variety of retail, service and office uses”, with drive-through facilities prohibited; and that the area covered by the RD zone allow “lodging, restaurants and recreation related uses, including a golf club house”. Many commercial / retail uses are supportive of lodging, restaurants and recreation uses, so a range of retail and services are proposed to be allowed in the RD zone, even though they are not specifically called out in the RDMP.
- **RI zone:** Many, but not all, commercial uses are proposed to be allowed outright or conditionally, similar to the existing C zone, with a few exceptions, such as marijuana uses; automobile service stations (e.g. gas stations), vehicle repair, and vehicle sales/rental; banks, barber/beauty shop; bed and breakfast and vacation rentals; and tractor & farm equipment sales. Lumber yards are allowed (they are not allowed in the C zone). This is consistent with the RDMP guidance that the light industrial area provide for food and beverage production and sales (including wine production and tasting facilities), indoor and outdoor event space, and eating and drinking facilities, and that the non-residential development east of the Bypass is envisioned as larger-scale ‘destination’ uses such as wineries, event facilities, hotel, restaurants and related uses. Public outreach also revealed support for a range of commercial uses in the light industrial area.

**Discussion Question:**

- Is the range of commercial uses proposed to be allowed in the RD and RI zones appropriate, or should it be more limited?

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	R-1	R-2	R-3	C	CBD	LI	RR	RN	RD	RI	
C. Commercial Uses											
Amusement and Recreation Facilities, including Theaters, Bowling Alleys, Concert Venues	N	N	N	CU/S	CU/S	N	N	CU/S	CU/S	CU/S	DMC <a href="#">17.203.220</a> in commercial zones and Riverside mixed use and light industrial zones; see DMC <a href="#">17.203.140</a> , Outdoor/unenclosed uses, DMC <a href="#">17.203.070</a> 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	N	P	P	P	
Automobile Service Station	N	N	N	CU+S	N	S	N	N	N	N	DMC <a href="#">17.203.040</a>
Automotive Repair and Service, including Car Wash, Tire Sales and Repair/Replacement, Painting, Auto Body Shop; includes Automobiles, Motorcycles, Aircraft, Boats, RVs, Trucks	N	N	N	CU+S	N	S	N	N	N	N	DMC <a href="#">17.203.140</a> if outdoors/unenclosed
Automotive Sales and Rental, including Automobiles, Motorcycles, Aircraft, Boats, RVs, and Trucks	N	N	N	CU+S	N	N	N	N	N	N	DMC <a href="#">17.203.140</a> if outdoors/unenclosed
Automotive Parts and Accessory Sales	N	N	N	S	N	N	N	P/S	N	P/S	DMC <a href="#">17.203.140</a> if outdoors/unenclosed
Bakery, Butcher Shop, Candy Manufacturing, and similar uses, when retail sales provided on premises	N	N	N	P/S	P/S	N	N	P/S	P/S	P/S	See DMC <a href="#">17.203.070</a> if drive-through or walk-up service
Banks and Other Financial Institutions	N	N	N	P/S	P/S	N	N	P/S	P/S	N	See DMC <a href="#">17.203.070</a> if drive-through or walk-up service
Barber or Beauty Shop	N	N	N	P	P	N	N	P	P	N	

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	R-1	R-2	R-3	C	CBD	LI	RR	RN	RD	RI	
Bed and Breakfast Inn, with three or fewer guest sleeping rooms	P	P	P	P	P	N	P	S	S	N	DMC <a href="#">17.203.050</a> DMC 17.203.260 in Riverside mixed use zones
Bed and Breakfast Inn, with four or more guest sleeping rooms	CU	CU	CU	P	P	N	CU	P	P	N	DMC <a href="#">17.203.050</a>
Bicycle Rental Shop	N	N	N	P	P	N	N	P	P	P	
Boat Landing, not a marina	N	N	N	N	N	N	N	N	N	N	DMC <a href="#">17.203.130</a> , DMC <a href="#">17.203.180</a> in EFU, see limits in OAR 660-33 in EFU
Business and Professional Offices	N	N	N	P	P	N	N	P	P	P	
Garden Supply, including Commercial Greenhouses	N	N	N	P/S	CU+S	CU+S	N	CU+S	N	P/S	DMC <a href="#">17.203.140</a> if outdoors/unenclosed, DMC <a href="#">17.203.180</a> in EFU, see limits in OAR 660-33 in EFU
Golf Course	CU	CU	CU	N	N	N	N	N	CU	CU	DMC <a href="#">17.203.180</a> , see limits in OAR 660-33 in EFU
Golf Driving Range, Miniature Golf	N	N	N	CU	N	N	N	CU	CU	CU	See DMC <a href="#">17.203.140</a>
Golf Pro Shop	N	N	N	P	P	N	N	P	P	P	
Hotels and Motels	N	N	N	P	P	N	N	P	P	CU	
Kennel	N	N	N	CU	N	CU	N	N	N	CU	See DMC <a href="#">17.203.140</a>
Lumber Yard and Similar Outdoor Sales of Building or Contracting Supplies	N	N	N	N	N	S	N	N	N	S	DMC <a href="#">17.203.140</a>
Marijuana Uses											
Marijuana Dispensary or Retail Facility	N	N	N	P/S	P/S	N	N	N	N	N	DMC <a href="#">17.203.250</a>
Marijuana Producer or Grow Site	N	N	N	CU+S	N	P/S	N	N	N	N	DMC <a href="#">17.203.250</a>

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	R-1	R-2	R-3	C	CBD	LI	RR	RN	RD	RI	
Marijuana Processor	N	N	N	CU + S	N	P/S	N	N	N	N	DMC <a href="#">17.203.250</a>
Marijuana Wholesaler	N	N	N	CU + S	N	P/S	N	N	N	N	DMC <a href="#">17.203.250</a>
Marijuana Testing Laboratory or Research Certificate	N	N	N	P/S	N	P/S	N	N	N	N	DMC <a href="#">17.203.250</a>
Marina, with no boat repair	N	N	N	N	N	N	N	N	N	N	DMC <a href="#">17.203.140</a>
Medical/Dental Clinic	N	N	N	P	P	N	N	P	P	P	
Paint and Painting Supplies Sales or Rental	N	N	N	P	P	P	N	P	N	P	
Restaurants, and Other Eating and Drinking Establishments	N	N	N	P/S	P/S	N	N	P/S	P/S	P/S	DMC <a href="#">17.203.140</a> if outdoors/unenclosed, DMC <a href="#">17.203.070</a> if drive-through or walk-up service
Retail Sales, including Accessory Services and Repair, except as specified elsewhere in this table	N	N	N	P/S	P/S	N	N	P/S	P/S	P/S	DMC <a href="#">17.203.140</a> if outdoors/unenclosed, DMC <a href="#">17.203.070</a> if drive-through or walk-up service
Retail Small-Scale Winery, Brewery or Distillery	N	N	N	S	S	N	N	S	S	S	DMC <a href="#">17.203.060</a>
Service-Related Businesses, except as specified elsewhere in this table	N	N	N	P/S	P/S	N	N	P/S	P/S	P/S	DMC <a href="#">17.203.140</a> if outdoors/unenclosed, DMC <a href="#">17.203.070</a> if drive-through or walk-up service
Tractor and Farm Equipment, or Logging Equipment, Sales and Service	N	N	N	CU+ S	N	S	N	N	N	N	DMC <a href="#">17.203.140</a> if outdoors/unenclosed
Vacation Rental, with Three or Fewer Bedrooms	P	P	P	P	P	N	P	S	S	N	DMC <a href="#">17.203.240</a> DMC <a href="#">17.203.260</a> 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	RI	
Vacation Rental, with Four or More Bedrooms	CU	CU	CU	CU	CU	N	CU	S	S	N	DMC <a href="#">17.203.240</a> DMC 17.203.260 in Riverside mixed use zones

**Commentary – Summary of Industrial and Mixed Employment Uses:**

- **RR zone:** Like existing residential zones, no industrial uses allowed.
- **RN and RD zones:** No industrial uses allowed except small-scale manufacturing in the RN zone (not RD).
- **RI zone:** Selected industrial uses allowed – less than in the existing Light Industrial zone, but more than in the commercial zones. Most are conditional uses, but a few are permitted outright. Public outreach revealed little interest in a broader range of industrial uses in the light industrial area. Only those uses that had broad support and are most clearly consistent with the vision for the area are listed as permitted. Others that could potentially be compatible, but could also potentially be incompatible, are proposed to be allowed through conditional use review.

**Discussion Question:**

- Is the range of industrial uses proposed to be allowed in the RI zone appropriate, or should it be more limited?

Table <a href="#">17.202.020</a> : 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	RI	
D. Industrial and Mixed Employment Uses											
Airports, and Heliport Facilities	N	N	N	N	N	CU	N	N	N	CU	

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	R-1	R-2	R-3	C	CBD	LI	RR	RN	RD	RI	
Auction Yards	N	N	N	N	N	CU+S	N	N	N	N	DMC <a href="#">17.203.140</a>
Beverage and Bottling Facility, Winery, Brewery, or Distillery, including Warehousing and Distribution; see also Retail Small-Scale Winery, Brewery, or Distillery	N	N	N	N	N	P	N	N	N	P	
Bulk Storage of Flammable Liquids or Gases; Petroleum Products Storage and Distribution; Wood or Biomass Fuel Dealers	N	N	N	N	N	CU	N	N	N	N	DMC <a href="#">17.203.140</a> if outdoors/unenclosed
Call Centers and Data Centers	N	N	N	CU	CU	CU	N	N	N	CU	
Cement, Glass, Clay, and Stone Products Manufacture	N	N	N	N	N	P	N	N	N	CU	DMC <a href="#">17.203.140</a> if outdoors/unenclosed
Chemical, Fertilizer, Insecticide, Paint Product Manufacture, or Similar Uses	N	N	N	N	N	CU	N	N	N	N	DMC <a href="#">17.203.140</a> if outdoors/unenclosed
Concrete or Asphalt Batch Plants	N	N	N	N	N	CU+S	N	N	N	N	DMC <a href="#">17.203.140</a>
Dairy Products Manufacture, e.g., butter, milk, cheese, ice cream	N	N	N	N	N	P	N	N	N	CU	DMC <a href="#">17.203.140</a> if outdoors/unenclosed
Dwelling for a Caretaker or Watchperson	N	N	N	N	N	P	N	N	N	P	
Feed and Seed Facilities, including Grain Elevators and Storage	N	N	N	N	N	P	N	N	N	N	DMC <a href="#">17.203.140</a> if outdoors/unenclosed, DMC <a href="#">17.203.180</a> in EFU, see limits in OAR 660-33 in EFU
Finished Textile and Leather Products Manufacture	N	N	N	N	N	P	N	N	N	P	DMC <a href="#">17.203.140</a> if outdoors/unenclosed
Food Processing, including Canning, Freezing, Drying and Similar Food Processing and Preserving	N	N	N	N	N	P	N	N	N	P	DMC <a href="#">17.203.140</a> if outdoors/unenclosed, DMC <a href="#">17.203.180</a> in EFU, see limits in OAR 660-33 in EFU

<b>Table 17.202.020: Zoning Use Table</b>		<b>P: Permitted Use; CU: Conditional Use; S: Special Use Requirements Apply; N: Not Permitted</b>									
<b>Uses</b>	<b>Residential</b>			<b>Commercial &amp; Employment</b>			<b>Riverside District Zones</b>				<b>Special Use Requirements</b>
	<b>R-1</b>	<b>R-2</b>	<b>R-3</b>	<b>C</b>	<b>CBD</b>	<b>LI</b>	<b>RR</b>	<b>RN</b>	<b>RD</b>	<b>RI</b>	
Freight Terminals, including Loading Docks, Storage, Warehousing, Wholesale Distribution, Cold Storage; except personal storage such as mini-storage warehouses	N	N	N	N	N	P	N	N	N	N	DMC <a href="#">17.203.140</a> if outdoors/unenclosed
Machine Shop, and Sales, Service and Repair of Machinery	N	N	N	N	N	P	N	N	N	CU	DMC <a href="#">17.203.140</a> if outdoors/unenclosed
Metal Plating	N	N	N	N	N	CU	N	N	N	CU	DMC <a href="#">17.203.140</a> if outdoors/unenclosed
Metal Products Manufacture	N	N	N	N	N	P	N	N	N	CU	DMC <a href="#">17.203.140</a> if outdoors/unenclosed
Newspaper, Periodical, Publishing and Printing	N	N	N	CU	CU	P	N	N	N	P	
Outdoor Storage of Materials of an Industrial Character	N	N	N	N	N	CU+S	N	N	N	CU+S	DMC <a href="#">17.203.140</a>
Personal Storage, such as Mini-Storage Warehouses	N	N	N	CU+S	N	P	N	N	N	N	DMC <a href="#">17.203.140</a> if outdoors/unenclosed; DMC <a href="#">17.203.230</a> in the community commercial zone
Rendering Plants	N	N	N	N	N	N	N	N	N	N	
Small-Scale Manufacturing in the community commercial zone, as defined in DMC <a href="#">17.203.150</a> .	N	N	N	S	N	N	N	S	N	S	DMC <a href="#">17.203.150</a>
Specialty Trade Contracting Facilities, conducted wholly within a building	N	N	N	CU	N	P	N	N	N	P	
Specialty Trade Contractor Facilities, conducted all or partially outdoors	N	N	N	N	N	S	N	N	N	CU	DMC <a href="#">17.203.140</a>
Welding Shop and Blacksmith, conducted wholly within a building	N	N	N	CU	N	P	N	N	N	P	
Welding Shop and Blacksmith, conducted all or partially outdoors	N	N	N	N	N	S	N	N	N	CU	DMC <a href="#">17.203.140</a>

Table <a href="#">17.202.020</a> : 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	RI	
Wood Products Manufacture, including sawmills, paper and allied products, and secondary wood products	N	N	N	N	N	P	N	N	N	CU	DMC <a href="#">17.203.140</a> if outdoors/unenclosed
Wrecking, Demolition, Junk Yards, including Recycling Firms	N	N	N	N	N	CU+S	N	N	N	N	DMC <a href="#">17.203.140</a>

**Commentary – Summary of Agricultural and Natural Resource Uses:**

All zones will allow gardening and will allow farm use to continue until development occurs on a given property.

Table <a href="#">17.202.020</a> : 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	RI	
E. Agricultural and Natural Resource Uses											
Gardening	P	P	P	P	P	P	P	P	P	P	
Farm Use	N	N	N	N	N	N	P	P	P	P	See DMC Title <a href="#">6</a> and DMC <a href="#">8.16.020</a> . Livestock not allowed in A
Dwelling, Primary, Customarily Provided in Conjunction with Farm Use	N	N	N	N	N	N	P	P	P	P	DMC <a href="#">17.203.180</a>
Additional Dwellings in Conjunction with Farm Use	N	N	N	N	N	N	N	N	N	N	DMC <a href="#">17.203.180</a> , see OAR 660-33 for limits in EFU
Any other dwelling listed as an allowed use under OAR Chapter <a href="#">660</a> , Division <a href="#">33</a>	N	N	N	N	N	N	N	N	N	N	DMC <a href="#">17.203.180</a> , see OAR 660-33 for limits

Table <a href="#">17.202.020</a> : 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	RI		
Any other dwelling that may be allowed after required review under OAR Chapter <a href="#">660</a> , Division <a href="#">33</a>	N	N	N	N	N	N	N	N	N	N	N	DMC <a href="#">17.203.180</a> , see OAR 660-33 for limits
Commercial Activities in Conjunction with Farm Use, except Farm Stands	N	N	N	N	N	N	N	N	N	N	N	DMC <a href="#">17.203.180</a> , see OAR 660-33 for limits in EFU
Farm Stand per ORS <a href="#">215.283(o)</a>	N	N	N	N	N	N	N	N	N	N	N	DMC <a href="#">17.203.180</a> , see OAR 660-33 for limits in EFU
Operations for the Exploration for and Production of Geothermal Resources as defined by ORS <a href="#">522.005</a> and Oil and Gas as defined by ORS <a href="#">520.005</a> , 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 <a href="#">517.750</a> .	N	N	N	N	N	N	N	N	N	N	N	
Operations Conducted for Mining and Processing of Geothermal Resources as defined by ORS <a href="#">522.005</a> not otherwise permitted; Operations Conducted for Mining, Crushing or Stockpiling of Aggregate and Other Mineral and Other Subsurface Resources; Processing of Other Mineral Resources and Other Subsurface Resources	N	N	N	N	N	N	N	N	N	N	N	DMC <a href="#">17.203.180</a> , see OAR 660-33 for limits
Veterinary Clinic with On-Site Service of Farm Animals	N	N	N	N	N	N	N	N	N	N	N	DMC <a href="#">17.203.180</a> , see OAR 660-33 for limits
Any other use specifically listed in OAR Chapter <a href="#">660</a> , Division <a href="#">33</a> that must be an allowed use in EFU zones	N	N	N	N	N	N	N	N	N	N	N	DMC <a href="#">17.203.180</a> , see OAR 660-33 for limits

Table <a href="#">17.202.020</a> : 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	RI	
F. Accessory Uses	P/C U	P/C U	P/C U	P/C U	P/CU	P/C U	P/CU	P/CU	P/CU	P/CU	P or CU per primary use, DMC <a href="#">17.203.180</a> in EFU
G. Temporary Uses	S	S	S	S	S	S	S	S	S	S	DMC <a href="#">17.203.160</a> , plus DMC <a href="#">17.203.180</a> in EFU, see OAR 660-33 for limits in EFU

## 17.202.030 Lot and development standards by zoning district

### **Commentary - Overview and Standards Table Structure:**

The Riverside District Zones either will be added to the existing standards table, or the table may be split into two tables or otherwise modified for sake of readability (e.g. moving the exceptions out of the table). For now, additional columns are included in Table 17.202.030 to capture standards for the Riverside District Zones. For sake of readability, the existing table is shown without the Public and Agriculture zones, but the existing residential, commercial and employment zones are shown for comparison. For purposes of this draft, the table has been broken up into sections so that commentary can be inserted following each section. Discussion questions are included following commentary where appropriate.

### **Commentary – Minimum Lot Area and Maximum Residential Density:**

Minimum lot area per unit (which regulates the maximum density) for the RR zone is proposed to be less (allowing for a higher maximum density) than for the R-3 zone. The proposed minimum lot area standards in the table below translate to the following maximum net densities: about 10.9 units per net acre for single family detached (except for compact detached dwellings<sup>1</sup>); about 17.4 units per net acre for duplexes and two attached units on separate lots; about 24.2 units per net acre for townhouses and compact detached dwellings, and about 36.3 units per net acre for multifamily dwellings. The maximum density for the housing types other than single family detached would significantly exceed the target of 10 units per acre, because higher densities are needed to make those housing types work. The assumption is that they will not represent such a large proportion of the residential development that the density will end up significantly above 10 units per acre overall. Limits on overall density could be set in the master plan standards as part of the Riverside District Overlay, but are not included in this draft.

Also, the existing code does not seem to address lot sizes for townhouses or “single family attached”. A new row in the table is proposed for these housing types, with the assumption that they are currently regulated like Multifamily Dwellings.

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<sup>1</sup> A definition for compact detached dwellings will need to be added to the code. In essence, these are units that are narrow and closely spaced like townhomes, but without shared walls.

**Discussion Questions:**

- Are the proposed maximum density / minimum lot size standards for residential development appropriate? Are maximum density limits needed at the master plan level to ensure that the overall density is in line with expectations?

Uses	Residential			Commercial and Employment			Riverside District				Exceptions See also DMC <a href="#">17.202.040</a>
	R-1	R-2	R-3	C	CBD	LI	RR	RN	RD	RI	
<b>A. Minimum Lot Area (Square Feet) – (b) applies to all zones</b>											
Single-Family Dwelling (1 unit)	9,000	7,000	5,000 (a)				4,000 (p) (s)	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)	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	1,800 per unit	1,800 per unit	1,800 per unit	
Multifamily Dwellings (3 or more units)	NA	NA	3,000 per unit	5,000 (all uses)	5,000 (all uses)	5,000 (all uses)	1,200 per unit	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	

**Commentary – Setbacks:**

- Front and rear setbacks for residential are proposed to be less than the R-3 zone, but a 20-foot garage entrance setback is also proposed, in order to allow a full car-length driveway in front of the garage.
- Maximum front setbacks are proposed for the RN and RD zones so that buildings must be located close to the street, supporting pedestrian-oriented development. For the RN zone, the somewhat more flexible standards from the C zone are proposed; for the RD zone, the stricter standards from the CBD zone are proposed.
- Residential development in the RN, RD, and RI zones must meet the setback standards of the RR zone.

Uses	Residential			Commercial and Employment			Riverside District				Exceptions
	R-1	R-2	R-3	C	CBD	LI	RR	RN	RD	RI	
B. Yard Setback Requirements (Feet)											
Primary Front Yard – Minimum	20(d)	20(d)	15	10(j)	5(j)	10*	10 (u)	0 (q)	0 (q)	15	(d) Minimum front yard for unenclosed, single story porch or deck is 15. (e) Minimum side or rear setback adjoining residential zone is 20 feet. (f) Minimum rear setback is 50 feet for nonresidential uses. (g) Minimum side setback is 30 feet for nonresidential uses. (h) Minimum side or rear setback adjoining residential zone is 10 feet. (i) Limited to six common wall dwellings on individual lots. (j) Minimum front yard setbacks apply only abutting Highway 99W right-of-way. Minimum front setback abutting other public rights-of-way is zero. (k) Compliance with the maximum front yard standards is determined as specified in DMC <a href="#">17.202.060(A)</a> . (q) Dwelling units except Dwellings above ground floor commercial are subject to the standards of the RR zone.
Secondary Front Yard – Minimum	20(d)	15	15	10(j)	5(j)	10*	10	0 (q)	0 (q)	15	
Primary Front Yard – Maximum				20(k)	15(k)			20(k) (q)	15(k) (q)		
Secondary Front Yard – Maximum				40(k)	30(k)			40(k) (q)	30(k) (q)		
Side Yard for a Principal Structure	10	7.5	5	None (e)	None (e)	None (e)	5	None (e) (q)	None (e) (q)	None (e)	
Rear Yard for a Principal Structure	20	15	15	None (e)	None (e)	None (e)	10	None (e) (q)	None (e) (q)	None (e)	
Rear Yard or Side Yard for an Accessory Structure	1/3 of building height, none if 6 feet high or less			None (e)	None (e)	None (e)	1/3 of building height, none if 6 feet high or less	None (e) (q)	None (e) (q)	None (e)	

Uses	Residential			Commercial and Employment			Riverside District				Exceptions
	R-1	R-2	R-3	C	CBD	LI	RR	RN	RD	RI	
Side Yards for Zero Side Yard Dwelling Units	NA	NA	10, except zero yard (i)	NA	NA	NA	10, except zero yard (i)	NA (q)	NA (q)	NA	See also DMC <a href="#">17.202.040</a>  (u) Garage entrances must be set back a minimum of 20 feet from the front lot line.
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 <a href="#">17.305.030</a> 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.										

**Commentary – Maximum Height:**

- Maximum heights are proposed to be set at 35 feet (slightly higher than other residential zones) for the RR zone and for live/work dwellings in the RI zone, in order to allow three-story buildings with pitched roofs.
- Maximum heights for the RN and RD zones and for non-residential development in the RI zone are proposed to be set at 45 feet in order to allow four story buildings if they are viable in the market.

**Discussion Question:**

- Are four-story buildings appropriate for the RN and RD zones? Vertical mixed use development is typically at least four stories so that there are at least three stories of residential development. Vertical mixed use may not be economically feasible, especially in the near-term, but if the City wants to allow for it, a 45-foot height limit may be necessary.

Uses	Residential			Commercial and Employment			Riverside District				Exceptions
	R-1	R-2	R-3	C	CBD	LI	RR	RN	RD	RI	
C. Maximum Structure Height (Feet)											
Dwellings	30	30	30	45(l)	45(l)	45	35	45	45	35	(l) New structures shall be limited to three stories.

Uses	Residential			Commercial and Employment			Riverside District				Exceptions
	R-1	R-2	R-3	C	CBD	LI	RR	RN	RD	RI	
Non-Dwelling Structures	30	30	30	45(l)	45(l)	45	35	45	45	45	See also DMC <a href="#">17.202.040</a> (m) Telecommunication structures in excess of 45 feet in height allowed with conditional use permit.

**Commentary – Lot Dimensions:**

- The minimum lot dimensions for the RR zone are proposed to be more flexible than those in the R-3 zone in order to allow for compact detached housing. Townhouses are proposed to have the same lot width and depth standards as in the R-3 zone.
- Minimum lot dimensions for non-residential development in other zones are not specified, but residential development in other zones must meet the standards of the RR zone.

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

**Commentary – Maximum Lot Coverage:**

- Maximum lot coverage is proposed to be the same as the R-3 zone for lower density housing types, but higher for townhouses, compact detached dwellings, and multifamily, in order to enable these higher density housing types to be developed efficiently.
- Maximum lot coverage for non-residential development in other zones is not specified, but residential development in other zones must meet the standards of the RR zone.

Uses	Residential			Commercial and Employment			Riverside District				Exceptions See also DMC <a href="#">17.202.040</a>
	R-1	R-2	R-3	C	CBD	LI	RR	RN	RD	RI	
E. Maximum Lot Coverage (% of Lot)											
Lot Coverage	35	40	45	None			45 (r)	None (q)	None (q)	None	(q) Dwelling units except Dwellings above 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	None (q)	None (q)	None	
Combined Lot and Parking Area Coverage	65	70	75	None			75 (r)	None (q)	None (q)	None	

## 17.202.050 Fence standards.

### **Commentary – Fence Standards:**

This section will be amended to make the RN and RD zones subject to the same fencing standards as the CBD zone and make the RI zone subject to fencing standards that are a blend of those used for the C zone and the RI zone.

The RR zone is proposed to have the same fencing standards as existing residential zones. The existing standard allows a 4-foot fence in the primary front yard and a 6-foot fence in the “secondary front yard” (the second yard abutting the street for a corner or through lot, which is generally treated like a side or rear yard from the homeowner’s perspective) in residential zones. Fence/wall materials are not limited in residential zones other than not being hazardous.

### **Discussion Questions:**

- Should fence height be limited for fences in the secondary front yard for the RR zone and for residential development in the other Riverside District zones?
- Should fence and wall materials be limited for fences in primary or secondary front yards for the RR zone and for residential development in the other Riverside District zones?

### 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 C zone, black fused and bonded vinyl coated chain link fencing may be used, subject to subsection (B) of this section.
- b. 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 RI 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 RI zones, fences shall not exceed eight feet tall, except where used for outdoor storage areas that are not adjacent to a public right-of-way.
8. In the RI 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 RI 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.**

#### **Commentary – Commercial Design Standards:**

This section will be amended to make the RN zone subject to the same standards as the C zone and the RD zone subject to the same standards as the CBD zone. However, drive-through facilities will not be allowed in the RN zone. Both sets of standards promote pedestrian-oriented development, but those in the CBD zone, which are proposed for the

RD zone, are stricter, with more of the building required to be close to the street and more windows required on the ground floor facing the street.

Since no changes to the standards are proposed except for making them applicable to the RD and RN zones, and since they are fairly long, they are not shown below. They can be viewed online at

<http://www.codepublishing.com/OR/Dundee/html/Dundee17/Dundee17202.html#17.202.060>.

## 17.202.070 Site and building design standards in industrial zones.

### Commentary – Industrial Design Standards:

This section will be amended to make the RI zone subject to the same standards as the LI zone. However, instead of meeting the Building design standards for light industrial, buildings within 50 feet of a Parkway Collector will be subject to the same standards as the C zone for maximum building setback, parking location, front landscaping, entrances, ground floor windows, and façade articulation (they will not be subject to the architectural features design matrix). This is intended to ensure attractive and pedestrian-friendly design for frontages that will be most visible to people passing through or visiting the area, and will have more impact on the overall appearance / design of the area.

The following standards apply to all development in the LI and RI 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 RI 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.

#### Commentary – Overview of Residential Design Standards:

An outline and key features of the proposed residential design standards are provided below. This is not intended to reflect draft code language, but captures the intent for the specific code language. The standards for all housing types are intended to promote pedestrian-friendly, walkable neighborhoods; and encourage “eyes on the street”. Those for single family detached, duplexes, and single family attached (two attached units on separate lots) are also intended to provide for some variety in housing design within a given block.

- Purpose: The purpose is to ensure attractive, walkable neighborhoods.
- Applicability: All residential development within the Riverside District (RR, RN, and RD zones) except dwellings above ground floor commercial.

#### Standards for single family detached, duplex, and single family attached

- Entrances – must face the street or open onto a porch that faces the street.
- Windows – at least 15% of the wall area facing the street must be windows (not counting garage doors or windows in garage doors)
- Articulation – the front façade (the exterior walls facing the primary front lot line) must include at least one offset or projection of at least 2 feet (can include bay windows, recessed entryways, covered porches, etc.)
- Façade variety – the front façade must differ from that of the other dwellings abutting on either side and the three closest dwellings on the other side of the street
- Garage entrances – garage entrances must be no closer to the street than the primary entrance to the dwelling

#### Standards for townhouse and Compact Detached dwellings and multifamily dwellings with individual ground-floor entries to the outside for all units:

#### Commentary:

Multifamily dwellings with individual ground-floor entries to the outside for all units are subject to the standards for townhouse and compact detached dwellings, except that they must meet the sustainable design requirement for multifamily development. This is because multifamily development can look identical to townhouses from the street; the units are on a single lot rather than individual lots, but the design issues are the same.

The primary differences from the standards for single family detached, duplex, and single family attached are:

- These housing types would not be subject to a façade variety requirement, because townhouses often have the same façade for all attached units.
- The width of garage entrances facing the street would be limited to allow a single car garage, but not a two-car garage. (Garages facing an alley would not be limited.) This is intended to ensure that garage doors are not the dominant feature of the front of the building.
- Units would be allowed to face a shared courtyard with a pedestrian walkway (accessway) rather than a street, because this form of development can encourage use of alleys or clustered parking and reduce driveway curb cuts.

- Entrances – must face the street, a shared courtyard with an accessway, or open onto a porch that faces the street.
- Windows – at least 15% of the wall area facing the street for each unit must be windows (not counting garage doors or windows in garage doors)
- Articulation – the front façade of each unit must include at least one offset or projection of at least 2 feet (can include bay windows, recessed entryways, covered porches, etc.)
- Garage entrances – garage entrances must be no closer to the street than the primary entrance to the dwelling. Garage entrances facing a street (but not those facing alleys) are limited to 12' in width per dwelling.

### Standards for multifamily dwellings:

#### Commentary:

The sustainable design standards proposed below will need to be detailed further to ensure they meet requirements for clear and objective standards for housing.

#### Discussion Question:

Are there other sustainability features that would be desirable and appropriate as options for multifamily development in the Riverside District?

- Entrances – the primary building entrance must face the street or a courtyard.
- Windows – at least 15% of the wall area facing the street must be windows (not counting garage doors or windows in garage doors)
- Articulation – the front façade must include at least one offset or projection of at least 2 feet for every 40 feet of façade length
- Parking areas may not be located between the building and the street.
- Sustainable design – each development must include at least one of the following features:

- Use of native plants (native species listed in Metro’s “Native Plants for Willamette Valley Yards” a similar resource)
- Low water irrigation systems – drip irrigation with rain sensor or use of reclaimed water or rainwater for irrigation
- Building energy efficiency measures (these will need to be defined specifically and be clear and objective)

## CHAPTER 17.203 SPECIAL USE STANDARDS

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

**Commentary:**

This section will be modified to reference the use table for where a retail small-scale winery, brewery, or distillery is allowed, which will include the RN, RD and RI zones. The section title will be modified to remove “in a commercial zone”. The standards will remain the same – a 5,000 square foot limit on production space, and a requirement for on-site retail sales that occupy at least 20% of the space. See

<http://www.codepublishing.com/OR/Dundee/html/dundee17/Dundee17203.html#17.203.060> for details of existing code.

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

**Commentary:**

This section will be modified to prohibit drive through service in the RN, RD, and RI zones. No other changes are proposed. See

<http://www.codepublishing.com/OR/Dundee/html/dundee17/Dundee17203.html#17.203.070> for details of existing code.

### 17.203.080 Two-family (duplex) dwellings.

**Commentary:**

This section includes special design standards for duplexes. They are not entirely clear and objective, and will be superseded by the residential design standards for the Riverside District. This section will be modified to make clear that it does not apply within the Riverside District. No other changes to this section are proposed as part of this project. See

<http://www.codepublishing.com/OR/Dundee/html/dundee17/Dundee17203.html#17.203.080> for details of existing code.

### **17.203.150 Small-scale manufacturing in the community commercial zone.**

**Commentary:**

This section will be modified to reference the use table for where small-scale manufacturing is allowed, which will include the RN, RD and RI zones. The section title will be modified to remove “in the community commercial zone”. The standards will remain the same – 5,000 square foot limit, buffering / screening requirements, and conditional use review required where there are concerns about noise or other impacts on adjacent properties. See <http://www.codepublishing.com/OR/Dundee/html/dundee17/Dundee17203.html#17.203.150> for details of existing code.

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

**Commentary:**

This section will be modified to reference the use table for the zones in which it applies, which will include the RN, RD, and RI zones. The section title will be modified to remove “in commercial zones”. The standards will remain the same – 10,000 square foot limit, and must be fully enclosed; conditional use permit is required if noise may be an issue. See <http://www.codepublishing.com/OR/Dundee/html/dundee17/Dundee17203.html#17.203.220> for details of existing code.

### **17.203.260 Residential Development in Riverside Mixed Use Zones.**

**Commentary:**

This will be a new section that sets limitations on residential development within the Riverside mixed use zones that is not located above ground-floor commercial. An outline and key features of the proposed limitations are provided below. This is not intended to reflect draft code language.

- Purpose: to ensure that Riverside mixed use zones are ultimately developed with a mix of uses including commercial or other non-residential uses, consistent with the RDMP.
- Applicability: all residential uses except dwellings above ground floor commercial in RN and RD zones. Nursing homes are considered a residential use for purposes of this section.

- Key standards:
  - No more than 75% of the total area included in the master plan (after deducting land for future streets, parks, and protected natural resources) can be developed with residential uses
  - Dwellings above ground floor commercial can count towards the required 25% of the building site to be developed with non-residential uses; however, live/work dwellings can only account for half of the required non-residential development.

## CHAPTER 17.204 OVERLAY ZONES

### 17.204.060 Riverside District overlay (RD).

#### Commentary:

The purpose of this section is to apply master plan requirements to the Riverside District and ensure consistency with approved master plans for subsequent development. This overlay zone would be mapped to include the whole Riverside District.

An outline and key features of the proposed overlay are provided below. This is not intended to reflect draft code language.

- Purpose: to ensure coordinated development within the Riverside District
- Applicability: all development and land divisions within the RD overlay

#### Site Development Master Plan approval

- A site development master plan must be approved prior to any development or land divisions in the RD overlay. A site development master plan may be submitted concurrently with an application for development or land division and/or a concurrent quasi-judicial zoning map amendment.
- Review process: site development master plans in the RD overlay will be reviewed as a Type III (Planning Commission) decision
- The Site Development Master Plan must cover, at a minimum, all lots within at least one subarea identified on RDMP Figure 2; it may cover multiple subareas.
- Owners of all lots included in the Site Development Master Plan must sign the Site Development Master Plan application.
- Site Development Master Plans must address:
  - Areas planned for non-residential uses
  - Phasing
  - Preliminary layout and sizing for infrastructure and public facilities
  - Local street layout and connectivity standards
  - Trails

- Neighborhood park location (if applicable)
- Areas subject to natural resource preservation requirements
- Housing Mix and Capacity Estimates:
  - Map areas planned for different housing types
  - Estimate gross and net developable acres within each area based on proposed local street layout; areas identified for non-residential uses, parks and trails; and areas subject to natural resource protections
  - Calculate estimated minimum and maximum number of units that can be built in each area based on allowed / reasonable density ranges for each housing type and net developable acres identified for each housing type (for single family detached, this would be based on the minimum and maximum density; for other housing types, the code might need to specify a reasonable minimum density to use for purposes of these calculations)
  - Overall average density on the portion zoned RR within each master plan area must fall between 8 and 11 units per net acre (density in other zones would not be subject to this limitation), except that the average density in one master plan area could exceed 11 units per acre if the applicant could show that when combined and averaged with other already-approved master plans in the Riverside District, the overall average density still came out between 8 and 11 units per net acre.

**Commentary:**

The purpose of the estimated housing capacity at the master plan stage is two-fold: to appropriately size water and sewer lines, and to ensure that the mix of housing types proposed will deliver an overall density consistent with the RDMP.

Note that Transportation Impact Analysis is not proposed to be required at the time of Master Plan approval, but rather at time of the subsequent development or subdivision application, since more will be known about the proposed development and the condition of nearby transportation facilities at that point.

**Site Development Master Plan consistency**

- Once a Site Development Master Plan is approved, all future land divisions and development within the Master Plan area must be consistent with the approved master plan unless a modification is approved (see below). The following factors would have to be consistent with the Master Plan:
  - Housing type / use (i.e. the proposed use is a non-residential use in an area identified in the master plan for non-residential use, or the area is the same housing type as identified in the master plan)
  - Local street layout
  - Infrastructure alignment and sizing
  - Trail alignment

- Neighborhood park location
- Phasing (sequence, but not specific year)

**Commentary:**

Note that consistency with the housing capacity estimates is not listed, because the zoning itself will ensure that each housing type is developed at a density consistent with that estimated in the Site Development Master Plan, and consistency with the housing types identified in the plan would be required.

**Site Development Master Plan modifications**

- Minor modifications will be reviewed as a Type II application. Minor modifications require the signature of all affected property owners, but not other property owners within the Master Plan area whose properties are not affected.
- Minor modifications include:
  - Adjustments to local street alignments that do not alter the number of streets or intersections or the proposed street connections to adjacent properties, and that remain consistent with all local street standards
  - Adjustments to infrastructure layouts and/or sizing (e.g. water and sewer lines) that do not change where the systems will connect to adjacent properties or the capacity that will be available to adjacent properties.
  - Adjustments to trail alignments that have the written support of the Chehalem Parks and Recreation District and do not change where the trail will connect to adjacent properties
  - Changes to neighborhood park location that have the written support of the Chehalem Parks and Recreation District – if the location changes to a different property, the owners of both properties must sign the application.
  - Adjustments to phasing that do not affect the timing of infrastructure improvements
  - Changes to planned housing type on up to 20% of the total area designated for a certain housing type (e.g. if 3 acres are designated for multifamily housing, then 0.6 acres may be changed to a different housing type as a minor modification)
- Major modifications will be reviewed as a Type III application. Major modifications require the signature of all property owners in the master plan area.
- Major modifications include any changes not listed as minor modifications, including changing an area from being planned for non-residential use to residential use or vice-versa, changes to planned housing type on more than 20% of the total area designated for any specific housing type.

**Special requirements for the RR zone***Housing Mix*

**Commentary:**

The committee's recommendation was to require some mix of housing types but not to require a specific number or percent of housing units. However, we recommend including a minimum threshold that is fairly easy to meet, just to ensure the standard is clear. The minimum threshold is recommended to be a bit higher for duplexes and single family attached dwellings for several reasons: (1) it may be more difficult to enforce construction of these housing types after the subdivision is approved; and (2) including a duplex within a 100-unit subdivision does not seem to meet the spirit of the rule or the intent of the plan.

Single family detached dwellings with ADUs are not recommended to be considered a separate housing type for purposes of meeting this standard, because there is a greater chance of the duplex or ADU being converted into a larger single family home. Size requirements for duplexes and single family attached dwellings are intended to ensure that a detached dwelling with ADU is not described as a duplex; ADUs must be less than 800 square feet and smaller than the primary dwelling.

- The Site Development Master Plan must identify areas for at least two different housing types.
- The following are considered distinct housing types for purposes of meeting this standard:
  - Single family detached dwellings (with or without an ADU) or residential care home
  - Duplexes or single family attached dwellings in which both dwelling units are at least 800 square feet or are of equal size
  - Townhouse or Compact Detached dwellings
  - Multifamily dwellings or residential care facility
  - Manufactured dwelling park
- If townhouse dwellings, compact detached dwellings, multifamily dwellings or residential care facilities are used to meet this standard, a minimum of 6 units of that housing type must be provided.
- If duplexes or single family attached dwellings will be used to meet the standard, at least 25% of the corner lots within the subdivision that includes these housing types, or an equivalent number of lots, must be designated on the plat for these housing types.
- 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.

*Minimum density for detached dwellings***Commentary:**

In order to make it so that even detached dwellings on their own will achieve the minimum target density of 8 units per acre, the average lot size would need to be no more than about 5,500 square feet. However, that does not offer much flexibility on lot size (since the

minimum lot size is proposed to be 4,000 square feet), so we recommend using 6,000 square feet, which would translate to a minimum net density of 7.26 units per acre, and relying on other housing types and the master plan requirements to bring up the overall average.

The minimum density standard would be applied at the subdivision level, allowing lot size averaging within a subdivision.

- For subdivisions in areas identified for single family detached dwellings (including those where some lots are designated for duplex or single family attached dwellings), the average lot size for all lots in the subdivision that will be developed with single family detached dwellings can be no larger than 6,000 square feet.
- 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.
- Lots and tracts reserved for non-residential uses, parks, trails, protected natural resources, and other housing types are not included in the average.

**For example, a subdivision of 30 lots all intended for single family detached dwellings could have lot sizes ranging from 4,000 square feet to 12,000 square feet, provided that the average size across all 30 lots was no more than 6,000 square feet.** **Special public facilities standards**

- All standards of Chapters 17.301 and 17.305 apply, except as otherwise noted below.
- Private streets are permitted only for alleys. All other streets must be public streets. (This supersedes the allowances for private streets in 17.301.020(K).)

### *Neighborhood park requirements*

#### **Commentary:**

The neighborhood park recommendations below are preliminary and require further discussion and input from CPRD. The recommended dedication / fee-in-lieu system described below is modeled on a similar system in the City of Sandy that staff report has been successful and relatively easy to administer.

- All master plans that include residential development must provide for land for neighborhood parks, either through dedication or a fee-in-lieu.
- The required dedication is calculated based on the total number of units proposed, the typical number of persons per unit for each housing type (to be spelled out in the code), and the City's standard of 2.0 acres of neighborhood parks per 1000 population.
- The City may accept a fee-in-lieu at its discretion or may require a fee-in-lieu if a suitable site is not available.

- The fee in lieu is set in dollars per acre of required dedication by resolution, with the amount reflecting the cost of land in the Riverside District.
- The fee-in-lieu must be paid prior to approval of the final plat or development approval for each phase of development.
- For dedication, the developer must submit a Phase I Environmental Site Assessment to demonstrate a clean environmental record, and must dedicate the entire acreage prior to approval of the final plat or development approval for the first phase of development.
- If a larger area for a neighborhood park is proposed than is required based on the per-unit calculation, the City may establish a reimbursement district to enable the developer / property owner to be repaid with the fee-in-lieu payments from other areas up to the amount that exceeds the required dedication.
- Neighborhood park sites proposed for dedication must meet the following criteria:
  - 2.0 to 3.5 acres in size
  - Surrounded on at least three sides by streets that will have residential or non-residential development on the other side
  - Does not abut the right-of-way for the Bypass
  - Slopes in excess of 15% and other sensitive areas (e.g. wetlands, stream corridors, etc.) occupy no more than 25% of the site.
  - Retaining walls to level the site may not exceed 4 feet in height.
  - Located within a half-mile of all planned residential areas within the Site Development Master Plan area

## CHAPTER 17.501 DEFINITIONS

### Commentary:

Several definitions will need to be added to the code. They are listed below with preliminary definitions (language will be refined in the next draft).

- **Live/work dwelling** – 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.
- **Compact Detached Dwellings** – Single family detached dwelling units on small lots, subject to special standards.