

Dwelling, Multiple-Family. One or more buildings on a single lot or parcel that are designed and used for 3 or more families, all living independently of each other, and having separate housekeeping facilities for each family. The dwellings may share common walls, common roofs, or common foundations. Multiple-family dwellings include condominium and apartment units without regard to ownership status.

Dwelling, Secondary. A dwelling unit that is located on the same parcel as a primary one-family dwelling that is clearly subordinate to the primary one-family dwelling, whether a part of the same structure as the primary one-family dwelling or a detached dwelling unit on the same lot.

Dwelling, One-Family. A dwelling that may have a common wall, roof or foundation with another one-family dwelling on a separate lot or may share a common wall, roof, or foundation with a secondary dwelling on the same lot.

Dwelling, Row House. A dwelling that shares 1 or more walls with 1 or more dwellings and which is located on a row house lot.

Dwelling, Tri-Plex. A building designed and used as dwellings for 3 families living independently of each other and having separate housekeeping facilities for each family.

Easement of Record. A valid easement that is recorded and on file at the Lane County Recorder's office.

Electronic Message Center. A sign, or portion of a sign, that conveys information through a periodic automatic change of message on a lampbank, through the use of fiber optics, or through mechanical means. A sign on which any portion less than an entire sign rotates shall be considered an electronic message center.

Enhanced Pedestrian Amenity. Permanent pedestrian amenities as described under the definition of Enhanced Pedestrian Space.

Enhanced Pedestrian Space. A paved area for use by pedestrians characterized by the incorporation of permanent amenities such as textured paving, planters connected to the earth and planting areas, kiosks, collonades, drinking fountains, public art, etc. A paved area with portable seating adjacent to a restaurant is also an enhanced pedestrian space.

Enhancement. To increase or improve natural values in one or more of the following ways:

- (A) Increasing the wildlife habitat value by increasing the supply and diversity of natural food sources throughout the year, increasing the diversity and duration of water features throughout the year or increasing the diversity in size and

structure of plants.

- (B) Improving water quality by reducing the amount of pollutants entering the water or removing pollutants already in the water.
- (C) Improving the natural character by encouraging and allowing natural vegetation to grow in natural patterns according to soil and water conditions.
- (D) Removing litter, refuse and unnatural fill.
- (E) Improving the capacity of the area to contain, detain or filter stormwater runoff.

Equipment, Heavy. Any piece of equipment weighing 1 ton or more.

Equipment, Light. Machinery, tools and implements that are typically operated by hand and used for maintenance of yards, gardens and households.

Eugene Zoning Map. The official zoning map for the City of Eugene. The Eugene Zoning Map may also include overlay zones.

Evidence. Facts, documents, data, or other information offered to demonstrate compliance or noncompliance with the standards believed by the proponent to be relevant to the decision.

Family. A person living alone, or any of the following groups living together as a single nonprofit housekeeping unit and sharing common living, sleeping, cooking and eating facilities:

- (A) Any number of persons related by blood, marriage, adoption, guardianship or other duly-authorized custodial relationship;
- (B) A maximum of 5 unrelated persons;
- (C) Two unrelated persons and any parents or children related to either.

Flag. The official flag or banner of any governmental entity.

Flag Lot. A lot with less frontage on a public street than is generally required by this land use code and where that frontage serves primarily as a vehicular access corridor. The “flag pole” of a flag lot is the access corridor to the “flag portion” of the lot. The “flag portion” of the flag lot is located behind a lot that has the generally required street frontage. (See Figure 9.2775(2) Residential Flag Lot Description.)

Flashing Sign. A sign or sign structure where some part of the display is provided by light-emitting elements which abruptly change color or intensity of illumination, including intermittent periods of illumination and non-illumination, or where the effect of flashing is achieved through mechanical means, including rotation.

Flood, or Flooding. As used in sections 9.6705 to 9.6709, a general and temporary condition of partial or complete inundation of normally dry land areas from:

- (A) The overflow of inland or tidal waters or

(B) The unusual and rapid accumulation of runoff of surface waters from any source.

Flood Insurance Rate Map (FIRM). As used in sections 9.6705 to 9.6709, the official map on which the Federal Insurance Administration has delineated both the areas of special flood hazards and the risk premium zones applicable to the community.

Flood Insurance Study. As used in sections 9.6705 to 9.6709, the official report provided by the Federal Insurance Administration that includes flood profiles, the Flood Boundary-Floodway Map, and the water surface elevation of the base flood.

Floodway. The channel of a river or other watercourse and the adjacent land areas designated as a floodway by the Federal Emergency Management Agency.

Floor Area. The floor area of a building, except areas used exclusively for the service of the building, such as: mechanical equipment spaces and shafts; elevators; stairways, escalators and ramps; rest rooms; loading docks or ramps. The term "Floor Area," when calculated for the purpose of determining the Floor Area Ratio (FAR), includes all of the entire floor area of the building except for the basement.

Floor Area Ratio (FAR). The floor area of all buildings on a lot divided by the total lot area. (See Figure 9.4530(3) Floor Area Ratio Calculation.)

Freestanding Sign. A sign other than a billboard supported by a structure that is anchored in the ground and is independent from any other structure.

Front Lot Line. A lot line abutting a public street or in cases of private streets or access easements, the front lot line shall be considered to be the boundary of the private street or access easement. (See Figure 9.0500 Lot Lines, Lot Frontage, Lot Width, Lot Depth.)

Front Yard Setback. An area extending between lot lines that intersect a street lot line, from a front lot line to a minimum depth required by zone standards. (See Figure 9.0500 Front and Interior Yards.)

Glare. Intense, direct light emitted by a lamp(s) that causes reduced vision, momentary blindness, or eyestrain.

Grade. For purposes of determining building height, the grade shall be the lowest point of elevation of the finished surface of the ground, paving, or sidewalk within a five foot horizontal distance of the exterior wall of the building. For purposes of determining sign height, grade shall be measured as if all portions of a sign were projected vertically onto the ground and the grade was measured by using such

projections as a building wall. For all signs, grade shall be measured according to the lower of the existing grade prior to construction or the newly established grade after construction, exclusive of any filling, berming, mounding, or excavating solely for locating the sign. (See **Figure 9.0500 Building Height Calculation** and **Figure 9.6640(3)(f) Sign Height Calculation.**)

Grassy Swales. Shallow ditches lined with grass or other vegetation for the purpose of filtering sediments and other pollutants from stormwater runoff.

Ground Cover. A living plant species that normally reaches a height of less than 3 feet upon maturity, planted in such a manner so as to form a continuous area of living plants.

Hand-Carried Sign. A sign that is displayed and used while being carried by a person.

Hazardous Tree. A tree that is dead, or is so affected by a significant structural defect, damage or disease that falling or failure appears imminent, and the tree poses a threat to life or property.

Hearings Official. A person appointed by the city manager or designee to hold hearings and issue decisions under this land use code.

Heritage Tree. A living, standing tree having exceptional value to the community due to its size and species. The specific methodology of classifying a tree as a heritage tree shall be established by administrative rule of the city manager adopted pursuant to section 2.019 City Manager - Administrative and Rulemaking Authority and Procedures.

Historic Architectural Significance. A historic property that:

- (A) Portrays the environment of a group of people in an era of history characterized by a distinctive architectural style;
- (B) Embodies those distinguishing characteristics of an architectural type;
- (C) Is the work of an architect or master builder whose individual work has influenced the development of the city, region, or state; or
- (D) Contains elements of architectural design, detail, materials, or craftsmanship that represented a significant innovation.

Historic District. A geographic area possessing a significant concentration, linkage, continuity or design relationship of historically significant sites, structures, landscape features, or objects unified by past events or physical development, that is 3 blocks or larger in size.

Historic Ensemble. A geographic area possessing a significant concentration, linkage, continuity or design relationship of historically significant sites, structures,

landscape features, or objects unified by past events or physical development, which is less than 3 blocks in size.

Historic Landmark. A historic resource designated by the city according to EC 9.8165 Historic Landmark - Designation Approval Criteria in this land use code.

Historic Landscape Feature. A decorative or functional change to land or vegetation, including trees, gardens, hedges, arbors, canopies, walkways, fences, retaining walls, water features, gazebos, pavilions, and similar site features.

Historic Preservation. The process of applying measures necessary to sustain the existing form, integrity, and materials of a historic property.

Historic Property. A historic resource that is:

- (A) Designated by the city as a historic landmark; or
- (B) Listed in the National Register of Historic Places, or within a National Register historic district.

Historic Property Alteration. To remove significant historic building materials, or significantly change the physical appearance of any part of the exterior of a historic resource or to change the appearance of historic landscape features that are identified as a significant part of the historic resource in the historic property application. Maintenance is not considered alteration of a historic property.

Historic Property Demolition. To raze, destroy, dismantle, deface or, in any other manner, cause significant partial or total ruin of a historic property.

Historic Property Mitigation Report. A report containing photographs of the historic property and its site and additional graphic history, data, and commemorative materials. The documentation materials will become the property of the city. The planning director may require that certain specific artifacts, architectural features, materials, or equipment be preserved or documented through measured architectural drawings.

Historic Property Moving. The relocation of a historic resource.

Historic Rehabilitation. The return of a historic resource to a state of utility, through repair or alteration, which makes possible an efficient contemporary use and preserves the property's historic value.

Historic Resource. Includes, but is not limited to, districts, ensembles, thematic groups, corridors, structures, bridges, buildings, sites, cemeteries, landscape features, signs, plaques, archaeological sites or artifacts, or other objects that have historic, cultural and/or architectural significance, locally, regionally, or nationally. A historic

site is the location of a historic or archaeological event, activity, occupation, structure, object, or landscape feature, including existing buildings or structures on the site, which has historic significance.

Historic Restoration. The process of accurately recovering the form and details of a historic resource and its setting as they appeared at a particular historic period by means of the removal of later work or the replacement of missing earlier work.

Historic Significance. Those historic resources that have a relationship to events or conditions of the human past. The historic resource:

- (A) Has character, interest or value, as part of the development, heritage or cultural characteristics of the city, state, or nation;
- (B) Is the site of a historic event with an effect upon society;
- (C) Is identified with a person or group of persons who had an influence on society;
or
- (D) Exemplifies the cultural, political, economic, social, or historic heritage of the community.

Historic Thematic Group. A group of resources linked through a common theme, not necessarily geographical. Examples include buildings designed by a famous architect, common landscape features, resources related by a significant development theme, and buildings of the same architectural style, use or era.

Homeless Shelter. A non-profit or public agency providing food, temporary housing, clothing and other support services primarily for adult, transitory individuals.

Home Occupation. An activity that is incidental to a dwelling's residential use and which involves the profit or non-profit exchange of goods or services.

Hospital. An institution that maintains and operates facilities for the 24 hour diagnosis, treatment and care of 2 or more non-related individuals, and which is devoted primarily to the rendering of in-patient or emergency 24 hour healing, curing, obstetric, and/or nursing care.

Hotel/Motel. A building or group of buildings containing 6 or more guest rooms that are used, rented, or hired out for sleeping purposes on a nightly or weekly basis. Guest rooms may have cooking facilities and may or may not be accessible from an outdoor parking area.

Improved Public Right-of-Way. A public right-of-way that has been developed with improvements for use by the public.

Institutional Use. Includes, but is not limited to churches, hospitals, schools, public parks (other than neighborhood parks), libraries, post offices, and convention centers.

Intensification (as used in Willamette Greenway Permits beginning at EC 9.8800). Any additions that increase or expand the area or amount of an existing use, or the level of activity. Remodeling the exterior of a structure not excluded below is an intensification when it will substantially alter the appearance of the structure. Maintenance and repair that is usual and necessary for the continuance of an existing use is not an intensification of use. Reasonable emergency procedures necessary for the safety or the protection of property are not an intensification of use. Residential use of lands within the Greenway includes the practices and activities customarily related to the use and enjoyment of one's home. Landscaping, construction of driveways, modification of existing structures or construction of facilities adjacent to the residence or placement of such subsidiary structures as are usual and necessary to such use and enjoyment shall not be considered an intensification. Seasonal increases in gravel operations shall not be considered an intensification of use.

Interior Lot Line. Any lot or parcel line that is not a front lot line. (See Figure 9.0500 Lot Lines, Lot Frontage, Lot Width, Lot Depth.)

Interior Yard Setback. An area of a lot that is adjacent to a property line that is not also a street lot line. The minimum depth of the area is as required by zoning standards. Interior yards include side and rear yards. (See Figure 9.0500 Front and Interior Yards.)

Interpretive Center. A facility that is open to the public and constructed and used for the purpose of educating people about the local environment and cultural history.

Interpretive Information Kiosk. A multiple faced sign constructed and used for the purpose of educating people about the local environment and cultural history.

Jurisdictional Wetland. See wetland.

Kennel. An establishment or premises on which 3 or more dogs over 6 months of age are kept or maintained, whether by owners of the dogs or by persons providing facilities and care, and whether or not for compensation.

Lamp. Any source of artificial light, such as bulbs, tubes, globes, spotlights, lasers, etc.

Land Division. Creation of legal lots or parcels through a partition or subdivision process.

Lands Committed to Urban Use (as used in Willamette Greenway Permits beginning at EC 9.8800). Those properties that are inappropriate for non-urban uses due to economic, developmental, and/or locational factors. Economic, developmental, and locational factors include, but are not limited to: established

ports, industrial, commercial, residential, or recreational uses on or near the subject property; the effect such established uses have upon the subject property; previous public decisions regarding the subject property (as contained in ordinances and adopted plans); and other public actions that affect the subject property.

Legal Lot. A lot of record that has boundary lines that were established:

- (A) Through a partition or subdivision procedure, or
- (B) By a deed recorded before April 2, 1962.

Legal Lot Lines. The property boundaries of a legal lot.

Living Area. The gross floor area of the portion of a building designed and used primarily for human habitation.

Loading Space. An off-street space or loading dock that abuts a street, alley, or other appropriate means of ingress and egress, and which is on the same lot as a main building or which is contiguous to a group of buildings, used for the temporary parking of commercial vehicles while loading or unloading.

Lot. A unit of land that is created by the subdivision of land as provided for in this land use code. Otherwise, the words "lot" and "parcel" are used interchangeably. (Note: See also definition of "Parcel," "Legal Lot," and "Lot of Record.")

Lot Coverage. That portion of a lot which, when viewed directly from above, would be covered by a building or structure, or any part thereof, except any area covered by a building or structure where 50 percent or more of the perimeter of the building or structure is open from grade.

Lot Depth. The distance between the midpoints of straight lines connecting the foremost points of the side lot lines in front and the rearmost points of the side lot lines in the rear. (See Figure 9.0500 Lot Lines, Lot Frontage, Lot Width, Lot Depth.)

Lot Frontage. That portion of a single lot abutting the street. (See Figure 9.0500 Lot Lines, Lot Frontage, Lot Width, Lot Depth.)

Lot Rear Line. The lot line that is opposite to and most distant from the lot or parcel front line. (See Figure 9.0500 Lot Lines, Lot Frontage, Lot Width, Lot Depth.)

Lot Side Line. Any lot or parcel line that is not a lot or parcel front or rear line. (See Figure 9.0500 Lot Lines, Lot Frontage, Lot Width, Lot Depth.)

Lot of Record. A tract of land described on a document that is on record at the Lane County Recorder's office and that conforms with all applicable state and local land

use requirements, including approval thereof, in effect when the document creating the lot was recorded.

Lot Width. The distance between straight lines connecting front and rear lot lines at each side of the lot, measured across the rear of the required front yard setback. Alley access parcel width is the distance between side lot lines measured along the alley property line. (See Figure 9.0500 Lot Lines, Lot Frontage, Lot Width, Lot Depth.)

Main Entrance. The principal entry through which people enter the building. A building may have more than one main entrance. For places of business, a main entrance door may not be a door that is locked during normal business hours.

Manufactured Home/Manufactured Dwelling. A “manufactured home” is a structure constructed for movement on the public highways that has sleeping, cooking and plumbing facilities, that is intended for human occupancy, that is being used for residential purposes and that was constructed in accordance with federal manufactured housing construction and safety standards and regulations in effect at the time of construction. A “manufactured dwelling” includes a residential trailer, a structure constructed for movement on the public highways that has sleeping, cooking and plumbing facilities, that is intended for human occupancy, that is being used for residential purposes and was constructed before January 1, 1962, a mobile home meeting the above requirements that was constructed between January 1, 1962 and June 15, 1976 and met the construction requirements of Oregon mobile home law in effect at the time of construction, and a manufactured home meeting the above requirements. “Manufactured dwelling” does not mean any building or structure constructed to conform to the State of Oregon Structural Specialty Code or the One and Two Family Dwelling Code adopted pursuant to ORS 455.100 to 455.450 and 455.610 to 455.630 or any unit identified as a recreational vehicle by the manufacturer. A manufactured home accessory building or structure includes:

- (A) Any portable, demountable or permanent structure established for use of the occupant of the manufactured structure and as further defined by rule of the Director of the State Department of Consumer and Business Services.

Manufactured Home/Dwelling Park. Any place where 4 or more manufactured dwellings are located within 500 feet of one another on a lot, tract or parcel of land under the same ownership, the primary purpose of which is to rent or lease space or keep space for rent or lease to any person for a charge or fee paid or to be paid for the rental or lease or use of facilities or to offer space free in connection with securing the trade or patronage of such person. “Manufactured dwelling park” does not include a lot or lots located within a subdivision being rented or leased for occupancy by no more than 1 manufactured dwelling per lot if the subdivision was approved by the city.

Marquee. Any permanent roof-like structure, other than an awning, projecting beyond a building and generally designed and constructed to provide protection from the weather.

Marquee Sign. A sign on or above a marquee and attached only to a marquee. Marquee signs do not include under-marquee signs.

Metro Plan. The Eugene-Springfield Metropolitan Area General Plan, is the comprehensive land use plan for the cities of Eugene and Springfield and those parts of Lane County within the Eugene-Springfield urban growth boundary. The jurisdictional boundary of the plan includes a slightly larger geographic area outside the urban growth boundary.

Metro Plan Amendment Home City. The City of Springfield shall be the home city for all site specific Type I and Type II Metro Plan amendments east of Interstate 5. The City of Eugene shall be the home city for all site specific Type I and Type II Metro Plan amendments west of Interstate 5. The applicability of home city shall have no basis with respect to non-site specific Type I Metro Plan amendments.

Metro Plan Amendment Initiation. Any of the three governing bodies may initiate a Type I Metro Plan amendment at their discretion or, at their discretion, initiate a Type I Metro Plan amendment on behalf of a citizen who has made such a request. Any of the three governing bodies or a citizen who owns property that is the subject of the proposed amendment may initiate a Type II Metro Plan amendment at any time.

Metro Plan Amendment Regional Impact. Site specific Metro Plan amendments have regional impact if the change in plan designation or site location will:

- (A) Require an amendment of a jointly adopted functional plan including the Public Facilities Plan, a Natural Resources Functional Plan, or an amendment to TransPlan, when the Transportation Planning Committee (TPC) determines the necessary amendment to be regional, or necessary in order to provide the subject properties with an adequate level of necessary urban services or facilities; or
- (B) Have a demonstrable impact on the water, storm drainage, sanitary sewer or transportation facilities of the non-home city; or
- (C) Affect the buildable land inventory in such a way as to impact the regional supply by:
 - 1. Significantly decreasing the net inventory of needed buildable land in the following plan designation categories: Medium Density Residential, High Density Residential, Commercial; or
 - 2. Significantly increasing the net inventory of buildable land in the following plan designation categories: Low Density Residential, Special Light Industrial, Light-Medium Industrial, Heavy Industrial; except in the following two cases:

- a. A jurisdiction may amend the plan designations to compensate for reductions in buildable land caused by protection of newly discovered natural resources within its own jurisdiction, or
- b. A jurisdiction may change a plan designation to accommodate the contiguous expansion of an existing business with a site specific requirement.

The non-home city may choose to participate in the site specific plan amendment process, excluding amendments within city limits, if the non-home city adopts a resolution determining that the proposed amendment has regional impact. Lane County shall participate in all Metro Plan amendments outside of city limits.

Metro Plan Type I Amendment. Any change to the Metro Plan which (1) changes the urban growth boundary or the jurisdictional boundary of the Plan; (2) requires a goal exception not related to a UGB expansion to be taken under statewide planning goal 2; or, (3) is a non-site specific amendment of the Plan text.

Metro Plan Type II Amendment. An amendment to the Metro Plan which is not otherwise a Type I plan amendment and which:

- (A) Changes the plan diagram; or
- (B) Is a site-specific plan text amendment.

Metropolitan Policy Committee. An intergovernmental committee created to promote problem-solving and to resolve intergovernmental disagreements among Eugene, Springfield and Lane County, the membership of which includes 2 elected officials from each jurisdiction, and when considering transportation matters, 2 members of the Lane Transit District.

Native Plants, Native Vegetation. Plant species that grow and propagate themselves in the southern Willamette Valley through natural processes, are adapted to the weather, soils and hydrology of the area, and have evolved in the area or been introduced to the area by natural causes. Distinguished from plant species that have been deliberately or accidentally imported or introduced from other areas by humans or human activities.

Natural Drainageways. Natural rivers, streams, channels, creeks, or other areas that naturally convey stormwater runoff or portions thereof that have not been channelized, and which retain a predominantly natural character.

Natural Functions and Values. Characteristics of a site that contribute to the healthy and effective functioning of natural processes on the site, along with the contribution made by the site to the healthy and effective functioning of the larger natural resource system of which the site is a part; including but not limited to improvement of water quality, provision of food, water and cover for wildlife, storage capacity for flood waters, protection against erosion, sediment removal, fisheries

habitat, and groundwater recharge or discharge.

Natural Resource Area. The area within the mapped boundaries of any locally inventoried wetland, pond, stream, channel, river, lake or upland wildlife habitat area.

Neighborhood Activity Center. A building or premises used for recreational, social, educational, or cultural activities, open to the public or a designated part of the public, which is a common destination or focal point for community activities. Includes primary and secondary schools, neighborhood parks and playgrounds, and shopping centers.

Nodal Development. A mixed use, pedestrian friendly land use pattern that seeks to increase concentrations of population and employment in well-defined areas with good transit service, a mix of diverse and compatible land uses, and public and private improvements designed to be pedestrian and transit oriented.

North-South Dimension. The length of a line beginning at the midpoint of the northern lot line and extending in a southerly direction perpendicular to the northern lot line until it intersects another lot line. For irregularly shaped lots, the midpoints of the 2 southernmost lot lines shall be connected to form a line for the purpose of determining north-south dimension. (See Figure 9.2790(2)Solar Lot Requirements and Figure 9.2795 Solar Setback Standards.)

Northern Lot Line. The lot line that creates the smallest angle with a line drawn east-west and intersecting the northmost point of the lot. If the north line abuts an undevelopable area on another lot other than a required yard area, the northern lot line shall be at the north edge of such undevelopable area. If 2 lot lines have an identical angle relative to a line drawn east-west, then the northern lot line shall be a line 10 feet in length within the lot parallel with and at a maximum distance from the front lot line. (See Figure 9.2790(2)Solar Lot Requirements.)

Nursing Home. A residence, institution, or other place other than a hospital or assisted care facility that operates and maintains facilities providing 24-hour convalescent or chronic care, or both, for 2 or more ill or infirm patients not related to the nursing home administrator or owner by blood or marriage. Convalescent and chronic care may include, but need not be limited to, the procedures commonly employed in nursing and caring for the sick. For purposes of determining residential density, if the design of the facility does not contain dwellings, as defined in this land use code, then every 1.5 beds equals 1 dwelling. Fractional dwellings shall be rounded to the next highest integer, e.g. 2 beds equals 2 dwellings.

Open Space. Unless otherwise specified in this land use code, the portion of a development site not devoted to buildings, parking, or driveways.

Open Waterway. A natural or human-made swale, creek, stream, open channel, ditch or other similar water feature, that has a defined and identifiable channel with slopes, that is predominantly of earthen material, and that has the specific function of conveying and/or storing stormwater runoff.

Outdoor Lighting Fixture. The assembly that holds the lamp(s) in a luminaire, including the ballast, housing, attachment parts, and the elements designed to control the output of the light, such as a reflector (mirror) or refractor (lens).

Outdoor Living Area. An area designed to provide an outdoor or semi-outdoor environment for the occupants of a dwelling. It includes natural ground area, paved and rooftop areas, balconies, porches, patios, terraces, verandas, and similar areas developed for active or passive recreational activities. Portions of exterior balconies required for building exits are not included in "outdoor living area."

Owner. An individual, association, partnership, or corporation having legal or equitable title to land other than legal title held only for purpose of security. For the purpose of notice, the owner may be determined using the latest Lane County assessment roll.

Parcel. A unit of land that is created by the partition of land as provided for in this land use code. See also "Lot of Record," "Legal Lot," and "Lot."

Parking Area. Any area which can be used by motor vehicles, recreational vehicles, trailers, and boats for parking, including driveways and access aisles providing access to the parking stalls.

Parking Court. A parking area designed to provide parking spaces for a group of dwellings in a manner that is attractively designed.

Parking Space. A permanently maintained space with proper access for 1 motor vehicle as indicated in this land use code.

Partition. The division of a tract of land, in accordance with this land use code, into two or three parcels within a calendar year. A partition does not include:

- (A) Divisions of land resulting from lien foreclosures.
- (B) Divisions of land resulting from the creation of cemetery lots.
- (C) Adjustment of a lot or parcel line by the relocation of a common boundary where an additional parcel or lot is not created and where the existing parcel or lot reduced in size by the adjustment is not in conflict with any applicable law or ordinance, including but not limited to provisions pertaining to minimum area, frontage, average width and required setbacks.
- (D) Divisions of land resulting from foreclosures of recorded contracts for sale of real property.

- (E) The sale of a lot in a recorded subdivision, even though the lot may have been acquired by a single owner with other contiguous lots or properties prior to the sale.
- (F) A sale or grant by a person to a public agency or public body for state highway, county road, city street or other right-of-way purposes provided that such road or right-of-way complies with the applicable comprehensive plan and state law.

Peak Hour. The 4 highest contiguous 15-minute traffic volume periods.

Pedestrian Facilities. Improvements, including sidewalks, walkways, and crosswalks that provide for public pedestrian traffic, together with related improvements, such as lighting and benches.

Pedestrian Scale Lighting. Light standards or placements no greater than 14 feet in height located along walkways.

Performance Agreement. An agreement guaranteeing compliance with conditions of approval required by provisions of this land use code to be executed by an applicant and the city prior to issuance of certain permits.

Performance Bond. A financial commitment as required by the city and executed by an Oregon licensed surety company.

Perimeter Wall. The exterior wall of a building.

Petition for Improvement. A petition as required by the city and submitted to and accepted by the city council or city engineer for construction of public improvements as required by this code.

Planning and Development Department Director. The person authorized by the city manager to carry out the duties of the city's planning and development department director, or the planning and development department director's designee.

Planning Commission. The commission created by the city council to help plan for the orderly growth and development of the city.

Planning Director. The person authorized by the city manager to carry out the duties of the city's planning director under this code, or the planning director's designee(s).

Plat. The final map, drawing, and other writing containing all the descriptions, locations, specifications, dedications, provisions, and information concerning a subdivision, partition, or replat thereof.

Porch. A structure attached to a building to shelter an entrance or serve as a semi-enclosed space, usually roofed and generally open sided.

Portable Sign. A sign placed in one location that is not permanently connected to the ground or a structure, or carried or moved during display. Portable signs include, but are not limited to: signs designed to be transported by means of wheels, signs converted to A- or T- frames, menu and sandwich board signs, and signs attached to or painted on parked vehicles. Hand-carried signs are not portable signs.

Portico. A porch or covered walk attached to a building supported by columns sheltering an entrance or serving as a semi-enclosed space.

Practical/Practicable. Attainable or feasible without undue financial hardship or violation of other laws or regulations.

Practical/Practicable, to the Maximum Extent. The greatest degree attainable or feasible without undue financial hardship or violation of other laws or regulations.

Primary Windows. Windows that serve areas where most daytime activities occur, primarily living rooms, dining rooms, family rooms, greatrooms, and kitchens.

Private Access Agreement/Easement. A recorded legal document in a form acceptable to the city, in which one property owner irrevocably grants to the owner(s) of 1 or more neighboring lots or parcels, and their successors in interest, a right to pass over his or her property to gain access to a public or private street together with any appropriate maintenance responsibilities.

Private Open Space. A semi-enclosed area that is intended for use by the occupants of one dwelling unit. Private open space may include porches, patios, balconies, terraces, roof-top gardens, verandas, and decks.

Projecting Sign. A sign other than a wall sign that projects from and is supported by a wall of a building or structure.

Property Lines. The boundaries of an ownership of a tract of land. These property lines do not necessarily indicate the boundaries of legal lots and may not coincide with "tax lots", as depicted on the Lane County Assessor's Maps.

Protected Wetland, Protected Natural Resource. A wetland or other natural resource identified for protection in an adopted plan or located on a lot zoned NR natural resource.

Public Accessway. A publicly owned or controlled interconnecting paved way that provides pedestrian and/or bicycle passage.

Public Notice. A description of a land use proposal, application, decision, or permit that is provided to inform citizens of a development proposal in the process of being

Public Notice. A description of a land use proposal, application, decision, or permit that is provided to inform citizens of a development proposal in the process of being reviewed by city staff or city officials, or of a land use decision or permit that has been approved by city staff or city officials.

Public Way. Any street, road, alley, right-of-way, pedestrian or bicycle easement or accessway, or utility easement for public use that is controlled by the city, county, or state.

Rare Plants. Any plant species which are listed or officially proposed to be listed on adopted local, state or federal "Rare, Threatened or Endangered Species" lists.

Readerboard Sign. A sign with a sign face of less than 200 square feet, or a portion of any such sign, on which characters, letters, or illustrations can be changed or rearranged manually without otherwise altering the surface of the sign.

Reconfiguration of Lots or Parcels. Changes to legal lot lines that result in any of the following:

- (A) Creation of an additional lot or parcel;
- (B) More than 2 changes to any of the boundaries of an individual lot or parcel within 1 calendar year;
- (C) A change in the size of a lot or parcel by more than 200 percent;
- (D) Creation of substandard public facilities or services, including, but not limited to, streets (access and widths), access easements, and public utility easements; or
- (E) A change in the number of platted lots and parcels.

Recreational Vehicle. A vehicle with or without motive power that is designed for human occupancy and to be used temporarily for recreational, seasonal or emergency purposes, and that has a gross floor area not to exceed 400 square feet in set up mode.

Recycling-Composting Facility. Activities requiring a general permit from the Department of Environmental Quality that produce more than 2,000 tons in a calendar year for green feedstocks and more than 5,000 tons in a calendar year for yard debris and wood waste only.

Recycling-Large Collection Facility. A facility occupying an area of more than 1,000 square feet, that may include permanent structures, primarily designed for the collection of recyclable materials. A recycling facility does not include storage containers used solely for the collection of recyclable materials generated on the parcel.

Recycling-Reverse Vending Machine. An automated mechanical device that accepts 1 or more types of empty beverage containers including, but not limited to aluminum cans, glass and plastic bottles, and issues a cash refund or a redeemable

credit slip with a value not less than the container's redemption value as determined by State law. A reverse vending machine may sort and process containers mechanically provided that the entire process is enclosed within the machine.

Recycling-Small Collection Facility. A facility primarily designed for the collection of recyclable materials. A recycling facility does not include storage containers used solely for the collection of recyclable materials generated on the parcel. The facility occupies 1,000 square feet or less and may include:

- (A) A mobile unit for the collection of recyclable materials;
- (B) Bulk reverse vending machines or a grouping of reverse vending machines occupying more than 50 square feet; and
- (C) Kiosk-type units that may include permanent structures.

Refinement Plan. A detailed examination of the service needs and land use issues of a specific area, topic, or public facility. Refinement plans of the Metro Plan can include specific neighborhood plans, special area plans, or functional plans (such as TransPlan) that address a specific Metro Plan element or sub-element on a city-wide or regional basis.

Residential Treatment Center. A professionally operated 24-hour care facility administering a planned system of medical, psychological, social work and/or rehabilitative procedures and activities designed to relieve or minimize mental, emotional or behavioral disorders. Residential treatment centers serve people admitted by court order, and others on a voluntary basis. Residential treatment centers normally serve less than 50 persons and can provide a security system alarming staff if residents under care leave the facility. For purposes of determining residential density, if the design of the facility does not contain dwellings, as defined in this land use code, then every 1.5 beds equals 1 dwelling. Fractional dwellings shall be rounded to the next highest integer, e.g. 2 beds equals 2 dwellings.

Roof Sign. A sign constructed upon or which projects above the roof or parapet of a structure.

Screening. A method of visually shielding or obscuring an area through the use of fencing, walls, berms, or densely-planted vegetation.

Secondary Windows. Those windows serving bedrooms, bathrooms, kitchens, stairwells, and corridors.

Sedimentation Ponds. A basin or pond with a controlled stormwater release structure that is intended to collect and store sediment and that is designed to allow sediment to settle out of the flow before being released from the pond.

Setback. See "Yard", "Front Yard Setback", or "Interior Yard Setback".

Service Station. A place where motor fuel and oil for motor vehicles is sold. Incidental services consist of selling, servicing and installing tires, batteries, accessories and related products, as well as minor repair and service when conducted entirely within an enclosed building. "Minor repair and service," as used in this definition, excludes activities such as painting, body work, steam cleaning, tire recapping, major engine or transmission overhaul or repair involving removal of a cylinder head or crankcase, and mechanical car washing that includes equipment to wash more than one car at a time.

Shade Point. The part of a building that casts the longest shadow onto the adjacent northern lot(s) when the sun is at an altitude of 22.6 degrees and an azimuth ranging from 30 degrees east and west of true south; except a shadow caused by a narrow object such as a mast or whip antenna, a dish antenna with a diameter of 3 feet or less, a chimney, utility pole or wire. The height of the shade point shall be measured from the shade point to lowest grade directly below the shade point. If the shade point is located at the north end of the ridgeline of a building oriented within 45 degrees of the true north-south line, the shade point may be reduced by 3 feet. If a structure has a roof oriented within 45 degrees of the true east-west line with a pitch that is flatter than 5 feet (vertical) in 12 feet (horizontal), the shade point will be the eave of the roof. If such a roof has a pitch that is 5 feet in 12 feet or steeper, the shade point will be the peak of the roof. (See Figure 9.2795(2) Shade Point Height (SPH) Measurement, Figure 9.2795(2)(a) R-1 Solar Setback Calculation, and Figure 9.2795(2)(b) R-2 Solar Setback Calculation.)

Shadow Pattern. A graphic representation of an area that would be shaded by 22.6 degrees and an azimuth ranging between 30 degrees east and west of true north-south axis. (See Figure 9.2795(2) Shade Point Height (SPH) Measurement, Figure 9.2795(2)(a) R-1 Solar Setback Calculation, and Figure 9.2795(2)(b) R-2 Solar Setback Calculation.)

Shopping Center. A development site with at least 50,000 square feet of gross floor area and with 2 or more business occupants engaged in retail trade.

Sign. Any device, fixture, placard, or structure that is not entirely within an enclosed building, when its message is visible from a public or private way or another development site, and which uses any word, letter, or logo to advertise or to communicate information of any kind. For purposes of the Eugene sign regulations, searchlights, beacons, strings of lights, banners, flags, pennants, and inflated devices shall be considered signs.

Sign Clearance. The distance between the lowest portion of a sign and the finished surface clearance of the ground, paving, or sidewalk under the sign.

Sign Construction. The act of building, erecting, or otherwise placing a sign in use, including any work done on an existing sign other than sign maintenance.

Sign Contractor. A person engaged in the business of sign construction or sign maintenance required to be registered by the Oregon Construction Contractors Board.

Sign Direction. The direction a sign or sign element faces, including all directions in which the display copy is visible.

Sign Element. That portion of a sign wholly contained within a separating sign trim or otherwise presenting a self-defined unit.

Sign Face. The functional surface of a sign, including all sign elements facing in the same direction.

Sign Height. The vertical distance from the grade to the highest point of a sign or sign structure. All sign heights, including roof signs, shall be measured from the grade. (Refer to Figure 9.6640(3)(f) Sign Height Calculation.)

Sign Maintenance. Work to preserve and use a sign, including manual changes in the display copy on signs designed and intended for such changes. Sign maintenance includes repairs to damaged signs unless the cost of the repair exceeds 50 percent of the value of the sign during the most recent period of use before repairs are to be initiated.

Sign Orientation. The general direction the sign faces from which the sign copy is designed to be seen and is most easily visible. A sign face parallel to a street and not oriented toward another direction of travel shall be considered to be oriented toward both directions of travel along the street.

Sign Structure. Any materials used to support or contain a sign, but not including buildings or other structures constructed primarily for purposes other than sign support.

Sign Surface Area. The total area of each sign face.

Significant Vegetation. Vegetation that is healthy, structurally sound, and environmentally appropriate for the site. Vegetation that lacks any of these factors is not significant.

Significant Tree. A living, standing tree having a trunk with a minimum cumulative diameter breast height of 8 inches, or, when there are multiple trunks, having a minimum cumulative diameter breast height of 8 inches, considering the 2 largest trunks measured at 4.5 feet above mean ground level at the base of the trunk or trunks.

Single Room Occupancy. A building containing at least 9 residential rooms for occupancy by individuals. Each room is without a kitchen, but may have provision for counter-top appliances and refrigerator. The toilet/bath may be private or shared with another single room occupancy (SRO) room(s). Four SRO rooms shall constitute 1 SRO dwelling. For purposes of determining residential density, 4 SRO rooms equal 1 dwelling. Fractional dwellings shall be rounded to the next highest integer, e.g. 5 SRO rooms equal 2 dwellings.

Site Improvements. Includes, but is not limited to, landscaping, parking lot improvements, bicycle parking improvements, fences, sheds, paving, and any other development, except building alteration.

Solar Access. Unobstructed exposure to direct sunlight.

Solar Feature. A device or combination of devices or elements that does or will use direct sunlight as a source of energy for such purposes as heating or cooling of a building, heating or pumping of water, and generating electricity. Examples of a solar feature include a window oriented to within 45 degrees east-west of true south, a solar greenhouse, or a solar hot water heater. A solar feature may be used for purposes in addition to collecting solar energy, including but not limited to serving as a structural member or part of a roof, wall or window. A south-facing wall enclosing an unheated area, and without windows and without other features that use solar energy is not a solar feature for the purposes of this land use code (for example, an unheated garage).

Solar Setback. The shortest horizontal distance from the northern lot line to the shade point.

South. True south or within 20 degrees east of magnetic south.

South Wall. A wall of any building oriented no more than 45 degrees from due south or any wall so defined by rules adopted under this land use code.

Special Setback. A setback instituted to prohibit development within areas of planned future right-of-way acquisition. The special setback is measured from the location of the planned future right-of-way line.

Specialty Retail. A type of retail presenting distinctive merchandise in a unique way, such as shops offering one-of-a-kind merchandise (such as a fine luggage store), or traditional goods presented in an interesting format (such as a boutique). Typically, specialty retail stores are relatively small with retail space frequently ranging from 400 to 2,000 square feet.

Stand of Trees. A group of three or more significant trees, whose canopies touch or whose critical root zones overlap; and that includes the trees, shrubs and groundcover plants that occupy the ground area beneath the canopies.

Start of Construction. The date the development permit was issued, provided the actual start of repair, reconstruction, placement, or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slabs or footings, the installation of piling, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading, or filling; the installation of streets and/or walkways; excavation for a basement, footings, piers or foundations, or erection of temporary forms; nor the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not as part of the main structure.

Street. An improved or unimproved public or private way, other than an alley, that is created to provide ingress or egress for vehicular traffic to one or more lots or parcels, excluding a private way that is created to provide ingress or egress to land in conjunction with the use of land for forestry, mining, or agricultural purposes. A "street" includes the land between right-of-way lines within the ingress/egress easement areas serving multiple residential lots but excluding "flagpole" portions of flag lots.

Street Lot Line. A lot line separating a street from other land.

Streetscape. The built and planted elements of a street that define the street's character.

Street Tree. A living, standing tree with a trunk diameter or, for trees with multiple trunks, a cumulative trunk diameter, of at least 1-1/2 inches at a point 6 inches above mean ground level at the base of the trunk, and that is located within the public street right-of-way, or shown on an approved street tree plan.

Structure. Anything constructed or built, an edifice or building of any kind, or any piece of work artificially built up or composed of parts joined together in some definite manner.

Structured Parking. A publicly or privately owned structure having one or more tiers of height, designed and used for parking 4 or more motor vehicles.

Subdivision. Either an act of subdividing land, or an area or tract of land subdivided into 4 or more lots within a calendar year, as provided in this land use code.

Tax Lot. A tract of land defined by ownership or tax status as defined by the Lane County Assessment and Taxation office. A tax lot is not necessarily a legal lot.

Telecommunications Ancillary Facilities. The buildings, cabinets, vaults, closures, and equipment required for operation of telecommunication systems including but not limited to repeaters, equipment housing, ventilation and other mechanical equipment.

Telecommunications Antennas. An electrical conductor or group of electrical conductors that transmit or receive radio waves, excluding amateur radio antennas.

Telecommunications Attachment. An antenna or other piece of related equipment affixed to a transmission tower, building, light or utility pole, or water tower.

Telecommunications Collocation. Placement of an antenna on an existing transmission tower, building, light or utility pole, or water tower where the antenna and all supports are located on the existing structure.

Telecommunications Facility. A facility designed and used for the purpose of transmitting, receiving, and relaying voice and data signals from various wireless communication devices, including transmission towers, telecommunications antennas and ancillary facilities. For purposes of this Land Use Code, amateur radio transmission facilities and facilities used exclusively for the transmission of television and radio signals are not "telecommunication facilities."

Telecommunications Facility Stealth Design. A telecommunications facility that is designed or located in such a way that the facility is not readily recognizable as telecommunications equipment.

Telecommunications Provider. A person in the business of designing and using telecommunications facilities including cellular radio-telephones, personal communications services, enhanced/specialized mobile radios, and commercial paging services.

Tentative Plan. A preliminary drawing or diagram concerning a partition, subdivision, or planned unit development.

Theater. A building used for public presentations of entertainment or cultural events.

Through Lot. A lot, other than a corner lot, with frontage on more than one street. Through lots with frontage on two streets may be referred to as "double-frontage" lots.

Topping. Cutting of the branches or trunks of a tree, where such cutting removes:
(A) More than 30 percent of the branches 6 inches in diameter or larger; or

(B) The main trunk or trunks, or as otherwise defined in the edition of the American National Standards Institute (ANSI) Section A300, Tree, Shrub and Other Woody Plant Maintenance Standard Practices in effect at the time the topping occurs, except that topping shall not in any context mean pruning measures commonly used to maintain trees grown for the purpose of crop production.

Traffic Control Device. Any sign, signal, or other device placed, operated or erected under authority of a road authority, as defined by state law, for the purpose of guiding, directing, warning or regulating vehicular or pedestrian traffic.

Transit Authority. A transit district established under ORS 267.010 to 267.390.

Transit, Neighborhood Improvement. Transit amenities such as a bus stop, shelter, or shared-use park and ride with less than 25 spaces where the park and ride use is accessory to an existing church, shopping area, or other principal use. Neighborhood transit improvements may accommodate up to 2 buses.

Transit Park and Ride, Major. Public parking areas accommodating 100 or more motor vehicles, designed to provide access to transit and other transportation services, and which is managed by a public transit agency. These parking areas may function as shared parking areas with other land uses. A major park and ride facility generally includes buses operating off-street and passenger amenities provided off-street, such as larger-style bus shelter, lighting, passenger information, and bicycle storage facilities. Restrooms may be provided for transit employees or the public.

Transit Park and Ride, Minor. Public parking areas accommodating 99 or fewer motor vehicles, designed to provide access to transit and other transportation services, and which is managed by a public transit agency. These parking areas may function as shared parking areas with other land uses. Buses do not generally operate on the site. Buses may serve the park and ride facility from an on-street bus stop that may include a bus turnout and a standard size bus shelter adjacent to the stop.

Transit Station, Major. A transit station that provides on a regular basis, room for 4 or more buses to facilitate customer transfers and/or bus operations. A major transit station may include off-street parking and restrooms for transit employees or the public, and passenger amenities associated with major park and ride facilities. A major transit station may be an off-street or on-street facility or a combination of the 2.

Transit Station, Minor. A transit station that provides on a regular basis, room for 2 or 3 buses to facilitate customer transfer or bus operations. A minor transit station is usually designed as a large bus turnout near key intersections and is usually an on-street facility. Minor transit stations may include off-street parking.

Transmission Tower. The monopole or lattice framework designed to support transmitting and receiving antennas. For purposes of this land use code, amateur radio transmission facilities and facilities used exclusively for the transmission of television and radio signals are not "transmission towers." Transmission towers include the following:

Transmission Guyed Tower. A transmission tower that is supported by the use of cables (guy wires) which are permanently anchored.

Transmission Lattice Tower. A transmission tower characterized by an open framework of lateral cross members which stabilize the tower.

Transmission Monopole. A single upright transmission pole, engineered to be self-supporting and does not require lateral cross supports or guy wires.

Tree. A self supporting, perennial woody plant characterized by one main trunk, or in some cases, multiple trunks, and one main canopy of leaves, usually growing to a height of 15 feet or more.

Tree Preservation. Protection of an existing tree from damage or stress such that the tree is likely to survive and continue to grow normally in a healthy condition, through measures that avoid or minimize damage to branches, canopy, trunk and roots of the tree. Such measures may include, but are not limited to, installation of tree protective fencing, mulching and watering of roots, supervision of work by an arborist, installation of aeration or drainage systems, root pruning, and use of non-destructive excavation techniques.

Tree Removal. To fell or sever a tree or to use any procedure the natural result of which is to cause the death or substantial destruction of the tree. Substantial destruction includes actions that destroy more than 30% of the critical root zone of a tree, or topping, or severing the cambial material on 50% or more of the circumference of the tree trunk. Remove does not in any context include those pruning standards as defined in the edition of American National Standards Institute (ANSI) Section A300, Tree, Shrub and Other Woody Plant Maintenance Standard Practices in effect at the time the pruning occurs.

Trim. The moldings, batten, capping, nailing strips, latticing, and platforms which are attached to a sign.

Truck, heavy. A truck of one-ton capacity or more and not bearing a state recreational vehicle insignia.

Under-Marquee Sign. A sign that is attached only to a marquee or awning and which is suspended or projects downward from a marquee or awning and has no portion of the sign above the bottom surface of the marquee or awning structure.

Under-Story Tree. A tree that at maturity is smaller than, and does not meet the definition of, a canopy tree as defined in this land use code.

Unimproved Public Right-Of-Way. A public way that has not been developed with improvements for use by the public.

Urban Forester. The person authorized by the city manager to carry out the duties and responsibilities of the city's urban forester under provisions of this code.

Urban Growth Boundary, UGB. A site-specific line, delineated on a map or by written description, that separates the projected urban service area from rural land.

Use. The purpose for which land or a building is arranged, designed or intended, or for which either land or a building is occupied or maintained.

Vanpool. A group of 7 to 15 commuters, including the driver, who share the ride to and from work on a regularly scheduled basis.

Variance. A grant of relief from an identified development standard that permits activity that would otherwise be prohibited by those sections.

Vegetation Removal. Destruction, physical removal, removal of the majority of the plant above ground, up-rooting, or lethal application of herbicides.

Vehicle Use Area. Parking spaces, driveways, interior roadways, loading areas, and fleet vehicle storage areas.

Vision Clearance Area. A triangular area within a lot immediately adjacent to the intersection of streets to provide a clear area for viewing approaching traffic for public safety purposes. For the intersection of 2 improved public rights-of-way, the vision clearance area is the triangular area of the lot at the intersection of two lot lines. At the intersection of a public street and a private street, the vision clearance area is the triangular area of the lot at the intersection of the lot line and each edge of the street. For all vision clearance areas, the apex is located at the intersection of the two legs, extended if necessary. The base of the triangle extends diagonally across the lot intersecting the two legs an equal distance from the apex. (See Figure 9.0500 Vision Clearance Area.)

Wall Sign. Any sign painted upon or attached to the wall of a building which does not project more than 12 inches from the surface of a wall. Signs placed on or attached to a mansard roof are considered wall signs provided they do not project or extend above the roof line.

Water Features. Permanent or intermittent bodies of water, including streams, ponds, rivers, lakes, drainage channels, open waterways and jurisdictional wetlands.

Wetland. Any parcel or portion of a parcel which meets the state or federal definition of wetlands that are under the jurisdiction of state or federal laws. Synonymous with "jurisdictional wetland".

Wetland Boundary. Any mapped wetland boundary produced by methods consistent with state and federal law and policy and for which a concurrence has been made in writing by the applicable state or federal agencies. Synonymous with "accepted jurisdictional wetland boundary" and "jurisdictional wetland boundary".

Wildlife Care Center. A place where rehabilitation of an injured, sick, or immature wild bird, mammal, amphibian, or reptile occurs to a condition where it is capable of being released into the wild or, if incapable of survival on its own, retained for educational purposes or transferred to an organization, educational institution, museum, publicly funded zoo or other facility as determined by the Oregon Department of Fish and Wildlife.

Wrecking Yard, Motor Vehicles and Building Materials. A premise used for the storage and dismantling of used motor vehicles, manufactured dwellings, recreational vehicles, machinery and/or building materials, or parts thereof. May also include sale of parts or materials.

Yard. Required space on the same lot with a building, unoccupied, and unobstructed from a point 30 inches above grade upward, except as otherwise provided herein.

(See also Front Yard Setback and Interior Yard Setback.)

(Section 9.0500, see chart at front of Chapter 9 for legislative history from 2/26/01 through 6/1/02; and amended by Ordinance No. 20269, enacted November 25, 2002, effective December 25, 2002.)

Zoning - General Provisions

General

9.1000 Introduction. Land in Eugene is zoned to provide areas suitable for certain types of development. Each zone provides a set of regulations governing the uses, lot size, building setbacks, height, and other development regulations. Property may also be subject to an overlay zone. The overlay establishes additional regulations beyond the base zone to address specific community objectives, such as protection of environmentally sensitive areas or improving the efficient use of public transit. In some cases, overlays may provide an exception to the standard regulations for the base zone.

(Section 9.1000, see chart at front of Chapter 9 for legislative history from 2/26/01 through 6/1/02.)

9.1010 Purpose of Zoning Regulations. The broad purpose of zoning regulations is to protect and promote the public health, safety, and welfare, and to provide the economic, social and environmental advantages which result from an orderly, planned use of land resources. Such regulations generally are designed to implement the Metro Plan, Growth Management Study and other applicable adopted plans and policies.

(Section 9.1010, see chart at front of Chapter 9 for legislative history from 2/26/01 through 6/1/02.)

9.1020 Applicability of Zoning Regulations. The city does not enforce any easement, covenant or other agreement between private parties, nor is this land use code generally intended to abrogate, annul, or impair such easements, covenants or agreements. In those instances where zoning regulations impose a greater restriction or higher standard than required by an easement, covenant or other agreement between private parties, or where the zoning regulations otherwise conflict with those private party agreements, the zoning regulations shall control.

(Section 9.1020, see chart at front of Chapter 9 for legislative history from 2/26/01 through 6/1/02.)

9.1030 Establishment and List of Zones. The zones listed in Table 9.1030 Zones are established as follows:

Table 9.1030 Zones		
Broad Zone Category	Zone	
Agricultural	AG	Agricultural Zone
Commercial	C-1	Neighborhood Commercial Zone
	C-2	Community Commercial Zone
	C-3	Major Commercial Zone

Table 9.1030 Zones		
Broad Zone Category	Zone	
	C-4	Commercial/Industrial Zone
	GO	General Office Zone
	PL	Public Land Zone
Government and Education	PL	Public Land Zone
Industrial	I-1	Campus Industrial Zone
	I-2	Light-Medium Industrial Zone
	I-3	Heavy Industrial Zone
Park and Open Space	NR	Natural Resource Zone
	PRO	Park, Recreation, and Open Space Zone
Residential	R-1	Low Density Residential Zone
	R-1.5	Rowhouse Zone
	R-2	Medium Density Residential Zone
	R-3	Limited High Density Residential Zone
	R-4	High Density Residential Zone
Special	S-DW	Downtown Westside Special Area Zone
	S-E	Elmira Road Special Area Zone
	S-F	Fifth Avenue Special Area Zone
	S-H	Historic Zone (Adopted by separate ordinance on file at the city. See EC 9.3020 and EC 9.3450)
	S-HB	Blair Boulevard Historic Commercial Special Area Zone
	S-RN	Royal Node Special Area Zone
	S-RP	Riverfront Park Special Area Zone
	S-W	Whiteaker Special Area Zone

(Section 9.1030, see chart at front of Chapter 9 for legislative history from 2/26/01 through 6/1/02; and amended by Ordinance No. 20275, enacted January 13, 2003, effective February 12, 2003.)

9.1040 Establishment and List of Overlay Zones. The overlay zones listed in Table 9.1040 Overlay Zones are established as follows:

Table 9.1040 Overlay Zones	
Overlay	Description
/#	Residential Density Range Overlay Zone (# indicates density range)
/BW	Broadway Overlay Zone
/CAS	Commercial Airport Safety Overlay Zone
/HD	Hillside Development Overlay Zone
/ND	Nodal Development Overlay Zone
/PD	Planned Unit Development Overlay Zone
/SR	Site Review Overlay Zone
/TD	Transit Oriented Development Overlay Zone
/UL	Urbanizable Land Overlay Zone
/WP	Waterside Protection Overlay Zone
/WB	Wetland Buffer Overlay Zone
/WG	Willamette River Greenway Overlay Zone

(Section 9.1040, see chart at front of Chapter 9 for legislative history from 2/26/01 through 6/1/02; and amended by Ordinance No. 20271, enacted November 25, 2002, effective December 25, 2002.)

9.1045 Reclassification of Prior Zones. The zoning classifications shown in Table 9.1045
Reclassification of Zones are reclassified effective August 1, 2001.

Table 9.1045 Reclassification of Zones	
Old Zone Title	New Zone Title
RA Suburban Residential District	R-1 Low Density Residential Zone
R-2 Limited Multiple Family Residential District	R-2 Medium Density Residential Zone
R-3 Multiple Family Residential District	R-3 Limited High Density Residential Zone
R-4 High Rise Multiple Family Residential District	R-4 High Density Residential Zone
C-2 General Commercial District	C-2 Community Commercial Zone
I-1 Special Industrial District	I-1 Campus Industrial Zone
Downtown Westside Mixed Use District	S-DW Downtown Westside Special Area Zone
MU-E Elmira Road Mixed Use District	S-E Elmira Road Special Area Zone
Fifth Avenue Development District	S-F Fifth Avenue Special Area Zone
Historic Districts	S-H Historic Zone
H Blair Boulevard Historic Commercial Area	S-HB Blair Boulevard Historic Commercial Special Area Zone
Riverfront Park Special Development District	S-RP Riverfront Park Special Area Zone
MU-W Whiteaker Mixed Use District	S-W Whiteaker Special Area Zone

(Section 9.1045, see chart at front of Chapter 9 for legislative history from 2/26/01 through 6/1/02.)

9.1050 Establishment of Zone Boundaries and Overlay Zone Boundaries by Map. Zone boundaries shall be depicted on an official map titled, "Eugene Zoning Map." Overlay zone boundaries shall be indicated on the "Eugene Zoning Map," or on an official map titled, "Eugene Overlay Zone Map." The text of this land use code may include a boundary description or list of uses subject to overlay zone regulations. The "Eugene Zoning Map" and "Eugene Overlay Zone Map" may be divided into geographic units for convenience of use and to more readily identify locations on the map. Where the text of a zone change decision or the text of this land use code specifically define boundaries (such as the TD or CAS overlay zones), conflicts between that text and map boundaries shall be resolved in favor of the text.

(Section 9.1050, see chart at front of Chapter 9 for legislative history from 2/26/01 through 6/1/02.)

9.1060 Changes in Zone Boundaries and Overlay Zone Boundaries. Changes in zone boundaries or overlay zone boundaries shall be processed pursuant to the Type III Application Procedures (EC 9.7300 - 9.7340) or, if processed concurrently with a refinement plan or code amendment, Type IV Application Procedures (EC 9.7400 - 9.7455). Decisions shall be based on the criteria contained in EC 9.8865 Zone Change Approval Criteria.

(Section 9.1060, see chart at front of Chapter 9 for legislative history from 2/26/01 through 6/1/02.)

9.1070 **Uncertainty of Zone Boundaries and Overlay Zone Boundaries.** Where uncertainty exists as to the boundary of any zone or overlay zone as shown on the "Eugene Zoning Map" or "Eugene Overlay Zone Map," the planning director shall apply the following rules to make a determination of a boundary:

- (1) Where the boundaries are indicated as approximately following street lines, alley lines or lot lines, those lines shall be construed to be the boundaries.
- (2) In the case of unsubdivided property where a zone boundary divides a lot, the location of the boundaries, unless they are indicated by dimensions, shall be determined based on the proposed subdivision, location of future public ways, and natural resource features.
- (3) Areas of public ways and railroad right-of-way, other than those designated on the zoning map, shall be deemed to be unzoned and, in the case of railroad right-of-way, shall be permitted to be used solely for the purpose of accommodating tracks, signals, other operative devices and the movement of rolling stock.
- (4) Public way that is officially vacated is zoned consistent with the zone of the property to which the vacated area is attached, including any overlay zone.
- (5) Upon written notification from the owner that railroad right-of-way has been abandoned as railroad right-of-way, no new use shall be allowed and no development permit shall be issued until the property is zoned according to this land use code. Abandoned railroad right-of-way is automatically determined to have the same zone as the property to which the abandoned railroad right-of-way is attached, including any overlay zones.

(Section 9.1070, see chart at front of Chapter 9 for legislative history from 2/26/01 through 6/1/02.)

9.1080 **Zone Verification.** Zone verification is used by the city to evaluate whether a proposed building or land use activity would be a permitted use or be subject to land use application approval or special standards applicable to the category of use and the zone of the subject property. The city may use zone verification as part of the review for a land use application or development permit, or where required by this land use code. As part of the zone verification, the planning and development director shall determine whether uses not specifically identified on the allowed use list for that zone are permitted, permitted subject to an approved conditional use permit or other land use permit, or prohibited, or whether a land use review is required due to the characteristics of the development site or the proposed site. This determination shall be based on the requirements applicable to the zone, applicable standards, and on the operating characteristics of the proposed use, building bulk and size, parking demand, and traffic generation. Requests for zone verification shall be submitted on a form approved by the city manager and be accompanied by a fee pursuant to EC Chapter 2.

(Section 9.1080, see chart at front of Chapter 9 for legislative history from 2/26/01 through 6/1/02.)

Legal Nonconforming Situations

9.1200 Purpose for Regulation of Nonconforming Situations. Nonconforming lots or parcels, uses, and structures are detrimental to the orderly development and general welfare of citizens and property. This land use code provides for the orderly termination of legal nonconforming situations in order to promote the public health, safety, and general welfare, and bring these lots, uses, or structures into compliance with this land use code. Sections 9.1210 through 9.1230 are intended to:

- (1) Minimize the impacts of the nonconforming situation by establishing standards that limit the expansion of the nonconformity.
- (2) Provide for the correction or removal of nonconforming situations in an equitable, reasonable, and timely manner.

(Section 9.1200, see chart at front of Chapter 9 for legislative history from 2/26/01 through 6/1/02.)

9.1210 Legal Nonconforming Lots of Record. Lots or parcels legally created but which do not now conform to the legal lot standards in this land use code may be occupied by uses otherwise permitted if those uses will comply with all other provisions of this land use code.

(Section 9.1210, see chart at front of Chapter 9 for legislative history from 2/26/01 through 6/1/02.)

9.1220 Legal Nonconforming Use. A use that was legally established on a particular development site but that no longer complies with the allowed uses or the standards for those uses in this land use code is considered a legal nonconforming use. Change of ownership, tenancy, or management of a legal nonconforming use shall not affect its legal nonconforming status. The continuation of a legal nonconforming use is subject to the following:

- (1) If a legal nonconforming use is discontinued for a period of 365 days, it shall lose its legal nonconforming status, and the use of the property thereafter shall conform with the existing provisions of this land use code. If the use was discontinued because the structure was damaged to an extent of 50% or more of its replacement cost by a catastrophe, such as fire that is not intentionally caused by the owner, the use may be reinstated within 2 years.
- (2) If a legal nonconforming use is converted to a conforming use, no nonconforming use may be resumed.
- (3) No legal nonconforming use may be replaced by a different type of nonconforming use, nor may any legal nonconforming use be expanded or intensified.

(Section 9.1220, see chart at front of Chapter 9 for legislative history from 2/26/01 through 6/1/02.)

9.1230 Legal Nonconforming Structure. A structure that was legally established but no longer conforms to all development standards of this land use code (such as height or setbacks) is considered a legal nonconforming structure. Notwithstanding development standard requirements in this code, minor repairs and routine maintenance of a legal nonconforming structure are permitted. The continuation of a legal nonconforming structure is subject to the following:

- (1) A legal nonconforming structure that is damaged to an extent of 50% or more of its replacement cost may be restored only if the damage was not intentionally caused by the property owner and the nonconformity is not increased. Any residential structure(s), including multiple-family, in a residential zone damaged beyond 50% of its replacement cost by a catastrophe, such as fire that is not intentionally caused by the owner, may be reconstructed at the original density provided the reconstruction is commenced within 2 years after the catastrophe.
- (2) A legal nonconforming structure may be altered to bring the structure closer to compliance with existing regulations, but shall not be altered in a manner that increases its nonconformity.
- (3) A legal nonconforming structure that is moved loses its nonconforming status and must then conform to all requirements of this land use code.

(Section 9.1230, see chart at front of Chapter 9 for legislative history from 2/26/01 through 6/1/02.)

9.1240 Legal Pre-Existing Uses. The uses listed in Table 9.1240 Legal Pre-Existing Uses shall be considered to be pre-existing uses. These uses may continue, and are not subject to the provisions of sections 9.1200 through 9.1230. Determinations as to whether a particular use qualifies as a pre-existing use shall be made by the planning commission.

Table 9.1240 Legal Pre-Existing Uses		
R-1 Low-Density Residential R-2 Medium-Density Residential	Nursing Home	Limited to those in existence on August 1, 2001
R-1 Low-Density Residential	Theater, Live Entertainment	Limited to those in existence on April 27, 1987 and operated by a non-profit organization
R-1 Low-Density Residential	Equestrian Academy and Stable	Limited to those in existence on August 1, 2001
R-1 Low-Density Residential	Equestrian Trail	Limited to those in existence on August 1, 2001
R-1 Low-Density Residential	Golf Course	Limited to those in existence on August 1, 2001

(Section 9.1240, see chart at front of Chapter 9 for legislative history from 2/26/01 through 6/1/02.)

Base Zones

Agricultural Zone

9.2000 Purpose of AG Agricultural Zone. The purpose of the AG agricultural zone is to allow agricultural uses within the urban growth boundary until land is converted to urban development. Agricultural uses are considered interim uses until public facilities and services can be provided in an economical manner and urban development of the site would result in compact urban growth and sequential development.

(Section 9.2000, see chart at front of Chapter 9 for legislative history from 2/26/01 through 6/1/02.)

9.2010 Agricultural Zone Land Use and Permit Requirements. The following Table 9.2010 Agricultural Zone Uses and Permit Requirements, identifies those uses in the AG Agricultural Zone that are:

- (P) Permitted, subject to zone verification.
- (C) Subject to a conditional use permit, or an approved final planned unit development.
- (S) Permitted subject to zone verification and the Special Development Standards for Certain Uses beginning at EC 9.5000.

Examples shown in Table 9.2010 are for informational purposes, and are not exclusive. Table 9.2010 does not indicate uses subject to Standards Review. Applicability of Standards Review procedures is set out at EC 9.8465.

Table 9.2010 Agricultural Zone Uses and Permit Requirements	
	AG
Accessory Uses	
Accessory Use. <u>Examples</u> include storage of farm products or livestock and other uses normal and incidental to agricultural uses.	P
Agricultural, Resource Production and Extraction	
Community and Allotment Garden	P
Display and Sale of Agricultural Products, primarily based on products raised or grown on the premises	P
Farm Animals, including pastureland, excluding a slaughter house (See EC 9.5250)	S
Horticultural Use. <u>Examples</u> include field crops, orchards, berries, and nursery or flower stock.	P
Mineral Resources Mining, Recovery, Stockpiling, Processing, excluding smelters and ore reductions	C
Education, Cultural, Religious, Social and Fraternal	
Grange Hall	P
Library	P

Table 9.2010 Agricultural Zone Uses and Permit Requirements	
	AG
Entertainment and Recreation	
Equestrian Academy and Stable	C
Equestrian Trail	P
Farm Related Educational Activities and Events. <u>Examples</u> include harvest festivals or tours of heritage farms. Excludes rodeos and other events that are not related to on-going farm operations.	P
Park and Playground, excluding indoor recreation	P
Government	
Government Services, not specifically listed in this or any other uses and permit requirements table. <u>An example could include:</u> a fire station.	P
Lodging	
Bed and Breakfast (See EC 9.5100)	S
Motor Vehicle Related Uses	
Transit, Neighborhood Improvement	P
Residential	
Dwellings	
One-Family Dwelling, 1 Per Lot	P
Utilities and Communication	
Amateur Radio Antenna Structure (See EC 9.5050)	P
Electrical Substation, must meet landscape standards in EC 9.6210(3) High Screen Landscape Standard (L-3) unless fully enclosed within a building or approved through a Type II procedure that shows low visual impact.	P
Fiber Optic Station, must meet landscape standards in EC 9.6210(3) High Screen Landscape Standard (L-3) unless fully enclosed within a building or approved through a Type II procedure that shows low visual impact.	P
Pump Station, well head, non-elevated reservoir, and other water or sewer facilities must meet landscape standards in EC 9.6210(3) High Screen Landscape Standard (L-3) unless fully enclosed within a building or approved through a Type II procedure that shows low visual impact.	P
Telecommunication Tower or Facility (See EC 9.5750)	P
Water Reservoir, elevated above ground level	SR
Other Commercial Services	
Home Occupation (See EC 9.5350)	S
Kennel	C
Temporary Activity (See EC 9.5800)	S
Wildlife Care Center (See EC 9.5850)	S

(Section 9.2010, see chart at front of Chapter 9 for legislative history from 2/26/01 through 6/1/02.)

9.2020 Agricultural Zone Lot and Development Standards. In addition to applicable development standards contained elsewhere in this code, the development standards listed in Table 9.2020 Agricultural Zone Lot and Development Standards shall apply to all development in the agricultural zone.

Table 9.2020 Agricultural Zone Lot and Development Standards			
Lot Area Minimum	20 acres	Minimum Setbacks	
		Front Yard Setback	10 feet
Maximum Height		Interior Yard Setback	10 feet
Main Building	30 feet		
Accessory Buildings	No Limit		

(Section 9.2020, see chart at front of Chapter 9 for legislative history from 2/26/01 through 6/1/02.)

Commercial Zones

9.2100 Purpose of C-1 Neighborhood Commercial Zone. The C-1 Neighborhood Commercial zone is designed to implement the Metro Plan by providing commercial areas to serve the day-to-day needs of the surrounding neighborhood. Neighborhood commercial areas should enhance rather than intrude on the character of a neighborhood by providing landscaped buffering and ensuring sufficient street frontage to provide safe and efficient access. These areas are usually 5 acres or less in size. Some uses not necessarily oriented to daily consumer needs, but similar in size and external impacts to convenience commercial and personal service uses, are also included in the C-1 zone.

(Section 9.2100, see chart at front of Chapter 9 for legislative history from 2/26/01 through 6/1/02.)

9.2110 Purpose of C-2 Community Commercial Zone. The C-2 Community Commercial zone is designed to implement the Metro Plan by providing areas for community commercial uses. These areas usually include at least 5 acres and not more than 40 acres, and are intended to include a wide range of purchaser goods and entertainment, office, and service needs for a support population smaller than that of the metropolitan area but larger than that of a neighborhood. Housing is also permitted in this zone, which may occur independently on individual lots or parcels, or be located in clusters that share parking facilities and other common areas.

(Section 9.2110, see chart at front of Chapter 9 for legislative history from 2/26/01 through 6/1/02.)

9.2120 Purpose of C-3 Major Commercial Zone. The C-3 Major Commercial zone is designed to implement the Metro Plan by providing areas for regional commercial uses. These uses include a wide range of purchaser goods, educational opportunities, entertainment, offices, travel accommodations, and services that attract people from the entire metropolitan area, Lane County, and adjacent counties.

(Section 9.2120, see chart at front of Chapter 9 for legislative history from 2/26/01 through 6/1/02.)

9.2130 Purpose of C-4 Commercial/Industrial Zone. The C-4 Commercial/Industrial zone is designed to implement the Metro Plan by providing areas that allow a compatible mix of commercial and industrial uses that are largely oriented to automobile traffic. The zone is intended to provide for commercial uses and complimentary processing, assembling, packaging, or repairing of previously manufactured products.

(Section 9.2130, see chart at front of Chapter 9 for legislative history from 2/26/01 through 6/1/02.)

9.2140 Purpose of GO General Office Zone. The GO General Office zone is designed to implement the Metro Plan by providing areas that allow a compatible mix of office and residential development. The zone is intended to provide for small- to medium-sized office buildings, often in transitional locations between residential and commercial uses. Developments shall be compatible with nearby residential uses in terms of scale, bulk, building and parking coverage, traffic generation, and other external factors. This zone also encourages a compatible mix of dwellings and offices on the same or adjacent properties. Retail uses are also permitted.

(Section 9.2140, see chart at front of Chapter 9 for legislative history from 2/26/01 through 6/1/02.)

9.2150 Commercial Zone Siting Requirements. In addition to the approval criteria in EC 9.8865 Zone Change Approval Criteria, the following siting requirements apply:

(1) C-1 Neighborhood Commercial.

- (a) New C-1 zones shall be located within convenient walking or bicycling distance of an adequate support population. For new C-1 areas between 4½ and 5 acres, an adequate support population is 4,000 people (existing or planned) within an area conveniently accessible to the site.
- (b) New C-1 areas larger than 1.5 acres shall be located on a collector or arterial street.
- (c) Existing neighborhood commercial areas shall not be allowed to expand to greater than 1.5 acres unless the development area site abuts a collector or arterial street.

(2) C-4 Commercial/Industrial. The application of the C-4 zone is limited to development sites with all of the following:

- (a) Strip or Street-Oriented Commercial designation in the Metro Plan.
- (b) Direct access to and from an arterial street.
- (c) A mix of commercial and industrial establishments in the area.

(Section 9.2150, see chart at front of Chapter 9 for legislative history from 2/26/01 through 6/1/02.)

9.2160 Commercial Zone Land Use and Permit Requirements. The following Table 9.2160 Commercial Zone Land Uses and Permit Requirements identifies those uses in Commercial Zones that are:

- (P) Permitted, subject to zone verification.

- (SR) Permitted, subject to an approved site review plan.
- (C) Subject to a conditional use permit or an approved final planned unit development.
- (S) Permitted, subject to zone verification and the Special Development Standards for Certain Uses beginning at EC 9.5000.
- (#) The numbers in () in the table are uses that have special use limitations described in EC 9.2161.

Examples shown in Table 9.2160 are for informational purposes, and are not exclusive. Table 9.2160 does not indicate uses subject to Standards Review. Applicability of Standards Review procedures is set out at EC 9.8465.

Table 9.2160 Commercial Zone Land Uses and Permit Requirements					
	C-1	C-2	C-3	C-4	GO
Accessory Uses					
Accessory Use. An example includes storage and distribution incidental to the primary use of the site. Parking areas that are accessory to a primary use on the same development site shall comply with EC 9.2161(5).	P	P	P	P	P
Agricultural, Resource Production and Extraction					
Horticultural Use. Examples include field crops, orchards, berries, and nursery or flower stock.	P	P		P	P
Eating and Drinking Establishments					
Bar and Tavern	C(1)	P	P	P	
Delicatessen	P (1)	P	P	P	P (2)
Restaurant	P (1)	P	P	P	P (2)
Specialty Food and Beverage. Examples include bagel, candy, coffee, donut, and ice cream stores. Products manufactured on-site shall comply with manufacturing allowances for food and beverage products.	P (1)	P	P	P	P (2)
Education, Cultural, Religious, Social and Fraternal					
Artist Gallery/Studio	P (1)	P	P		
Ballet, Dance, Martial Arts, and Gymnastic School/Academy/Studio	P (1)	P	P		C
Church, Synagogue, and Temple, including associated residential structures for religious personnel	P(1)	P	P	C	P
Club and Lodge of State or National Organization		P	P		P
Community and Neighborhood Center	P	P	P		C
Library		P	P		
Museum		P	P		
School, Business or Specialized Educational Training (excludes driving instruction)		P	P		
School, Driving (including use of motor vehicles)		P	P	P	
School, Elementary through High School		P	P		
University or College		P	P		

Table 9.2160 Commercial Zone Land Uses and Permit Requirements					
	C-1	C-2	C-3	C-4	GO
Entertainment and Recreation					
Amusement Center (Arcade, pool tables, etc.)	C	P	P		
Arena, Indoors		C	C		
Athletic Facility and Sports Club	P (1)	P	P	P	C
Bowling Alley		P	P	P	
Golf Course, Miniature Indoor		P	P	P	
Golf Course, Miniature Outdoor		SR		P	
Golf Driving Range		SR		P	
Park and Playground (Refer to Park, Recreation, and Open Space zone for examples of activities within this use.)		P	P		P
Theater, Live Entertainment	C	P	P	P	
Theater, Motion Picture		P	P	P	
Financial Services					
Automated Teller Machine (ATM)	P (1)	P	P	P	P
Bank, Savings and Loan Office, Credit Union	P (1)	P	P	P	P
Government					
Government Services, not specifically listed in this or any other uses and permit requirements table. <u>An example could include: a fire station.</u>	P (1)	P	P	P	P
Information Technology Services					
Computer Networking (includes services and technical support center)	P (1)	P	P	P	P
E-commerce (includes on-site shipping via truck)		P	P	P	
E-commerce (excludes on-site shipping via truck)	P (1)	P	P	P	P
Healthcare Informatics (includes biotechnology, bioinformatics, and medical informatics)	P (1)	P	P	P	P
Internet and Web Site (includes services and technical support center)	P (1)	P	P	P	P
Software Development (includes services and technical support center)	P (1)	P	P	P	P
Lodging					
Bed and Breakfast Facility		P	P		P
Homeless Shelter not in existence as of January 1, 1984				C	
Hotel, Motel, and similar business providing overnight accommodations		P	P	P	
Recreational Vehicle Park, may include tent sites (See EC 9.5600)		S		S	

Table 9.2160 Commercial Zone Land Uses and Permit Requirements					
	C-1	C-2	C-3	C-4	GO
Manufacturing					
Manufacturing Allowance in C-1, manufacturing is permitted if the following standards are met: -- No external air emissions required a permit from an air quality public agency. -- All industrial activity completely enclosed within building. -- Industrial uses limited to apparel, food and beverage, handcraft industries, and other manufacturing uses with similar external impacts to other uses permitted in C-1. -- Each individual business is limited to 5,000 square feet of area exclusive of parking area.	P				
Manufacturing Allowance in C-2 and C-3, manufacturing is permitted if the following standards are met: -- No external air emissions requiring a permit from an air quality public agency. -- All industrial activity completely enclosed within building. -- Industrial uses limited to apparel, food and beverage products, electronic communication assembly, handcraft industries, and other manufacturing uses with similar external impacts to other uses permitted in C-2 and C-3. -- Each individual business is limited to 10,000 square feet of floor area exclusive of parking area. These types of businesses are limited in size to assure that they will not dominate the commercial area and to limit any negative external impacts on commercial and residential uses.		P	P		
Manufacturing Allowance in C-4, manufacturing use in C-4 is regulated the same as in the I-2 Light-Medium Industrial district				See I-2	
Recycling, reverse vending machine	P	P	P	P	P
Recycling, small collection facility (See EC 9.5650)	S	S	S	S	S
Medical, Health, and Correctional Services					
Blood Bank		P	P		P
Correctional Facility, excluding Residential Treatment Center		C	C	C	C
Clinic or other Medical Health Treatment Facility (including mental health). Clinics are <u>not</u> permitted in the following area: -- In the neighborhood commercial area in the Coburg/Crescent area. (See <u>Willakenzie Plan</u> .)	P (1)	P	P		P
Drug Treatment Clinic - Non-residential		P (3)	P (3)	P (3)	
Hospital		C	C		C
Laboratory, medical, dental, X-ray		P	P		P
Meal Service, Non-Profit	C	P	P		
Nursing Home		P	P		P
Plasma Center, must be at least 800 feet between Plasma Centers		P			
Residential Treatment Center		P	P		C
Motor Vehicle Related Uses					
Car Wash		P	C	P	

Table 9.2160 Commercial Zone Land Uses and Permit Requirements					
	C-1	C-2	C-3	C-4	GO
Motor Vehicle Sales/Rental/Service, excluding motorcycles, recreational vehicles and heavy trucks		P	C	P	
Motorcycle Sales/Rental/Service		P	C	P	
Parking Area not directly related to a primary use on the same development site		SR (4)	P (5)	P	P
Parts Store		P	P	P	
Recreational Vehicles and Heavy Truck, Sales/Rental/Service		C		P	
Repair, includes paint and body shop		P		P	
Service Stations, includes quick servicing		P	C	P	
Structured Parking, up to two levels not directly related to a primary use on the same development site		P	P	P	P
Structured Parking, three or more levels not directly related to a primary use on the same development site		C	P	P	C
Tires, Sales/Service		P	C	P	
Transit, Neighborhood Improvement	P	P	P	P	P
Transit Park and Ride, Major		P	P	P	P
Transit Park and Ride, Minor	C	P	P	P	P
Transit Station, Major	C	SR	SR	P	SR
Transit Station, Minor	C	P	P	P	P
Office Uses					
Administrative, General, and Professional Office	P (1)	P	P	P	P
Scientific and Educational Research Center	P (1)	P	P	P	P
Personal Services					
Barber, Beauty, Nail, Tanning Shop	P (1)	P	P		P (2)
Day Care Facility (Not associated with a residence.)	P	P	P	P	P
Dry Cleaner	P (1)	P	P	P	P (2)
Film, Drop-off/Pick-up	P (1)	P	P	P	P (2)
Locksmith Shop	P (1)	P	P	P	P (2)
Laundromat, Self-Service	P (1)	P	P	P	P (2)
Mailing and Package Service	P (1)	P	P	P	P (2)
Shoe Repair Shop	P (1)	P	P	P	P (2)
Tailor Shop	P (1)	P	P	P	P (2)
Residential					
Dwellings					
One-Family Dwelling	P (6)	P (6)			
Rowhouse (One-Family on Own Lot Attached to Adjacent Residence on Separate Lot with Garage or Carport Access to the Rear of the Lot)	S (6)	S (6)			P
Duplex (Two-Family Attached on Same Lot)	P (6)	P (6)			P
Tri-plex (Three-Family Attached on Same Lot) (See EC 9.5500)	S(6)	S(6)	S		S
Four-plex (Four-Family Attached on Same Lot) (See EC 9.5500)	S(6)	S(6)	S		S
Multiple Family (3 or More Dwellings on Same Lot) (See EC 9.5500)	S(6)	S(6)	S		S

Table 9.2160 Commercial Zone Land Uses and Permit Requirements					
	C-1	C-2	C-3	C-4	GO
Assisted Care & Day Care (Residences Providing Special Services, Treatment or Supervision)					
Assisted Care (5 or fewer people living in facility and 3 or fewer outside employees on site at any one time)		P	P		P
Assisted Care (6 or more people living in facility)		P	P		C
Day Care (3 to 12 people served)	P	P	P		P
Day Care (13 or more people served)	C	P	P		P
Rooms for Rent Situations					
Boarding and Rooming House		P	P		C
Campus Living Organization, including Fraternities and Sororities		P	P		C
Single Room Occupancy (SRO)		P	P	P	
University and College Dormitories		P	P		P
Trade (Retail and Wholesale)					
Agricultural Machinery Rental/Sales/Service		C		P	
Appliance Sales/Service		P	P	P	
Bicycle Rental/Sales/Service	P(1)	P	P	P	
Boat and Watercraft Sales/Service		P	C	P	
Book Store	P(1)	P	P	P	
Building Materials and Supplies				P	
Computer Store	P(1)	P	P	P	
Convenience Store	P (1)	P	P	P	P (2)
Drug Store (excluding Drug Treatment Centers)	P(1)	P	P	P	
Electrical Appliances and Supplies	P(1)	P	P	P	
Equipment, Light, Rental/Sales/Service		P	P	P	
Equipment, Heavy, Rental/Sales/Service- includes truck and tractor sales		C		P	
Fabric Store		P	P	P	
Floor Covering Store		P	P	P	
Furniture and Home Furnishing Stores		P	P	P	
Garden Supply/Nursery	P (1)	P		P	
General Merchandise (includes supermarket and department store)	P (1)	P	P		P (2)
Hardware/Home Improvement Store	P (1)	P	P	P	
Healthcare Equipment and Supplies		P	P	P	
Liquor Store		P	P		
Manufactured Dwelling Sales/Service/Repair		C		C	
Office Equipment and Supplies		P	P	P	
Plumbing Supplies		P	P	P	
Regional Distribution Center				P	
Retail trade when secondary, directly related, and limited to products manufactured, repaired or assembled on the development site	P(1)	P	P	P	
Storage Facility, Household/Consumer Goods, enclosed		P		P	
Specialty Store (an example includes a gift store)	P (1)	P	P		P (2)
Toy and Hobby Store	P (1)	P	P	P	

Table 9.2160 Commercial Zone Land Uses and Permit Requirements					
	C-1	C-2	C-3	C-4	GO
Video Store	P (1)	P	P	P	
Wholesale Trade (excluding regional distribution center)				P	
Utilities and Communication					
Amateur Radio Antenna Structure (See EC 9.5050)	S	S	S		S
Broadcasting Studio, Commercial and Public Education		P	P	P	P (7)
Electrical Substation, must meet landscape standards in EC 9.6210(3) High Screen Landscape Standard (L-3) unless fully enclosed within a building or approved through a Type II procedure that shows low visual impact.	P	P	P	P	P
Fiber Optic Station, must meet landscape standards in EC 9.6210(3) High Screen Landscape Standard (L-3) unless fully enclosed within a building or approved through a Type II procedure that shows low visual impact.	P	P	P	P	P
Pump Station, well head, non-elevated reservoir, and other water or sewer facilities must meet landscape standards in EC 9.6210(3) High Screen Landscape Standard (L-3) unless fully enclosed within a building or approved through a Type II procedure that shows low visual impact.	P	P	P	P	P
Telecommunication Tower or Facility (See EC 9.5750)	S	S	S	S	S
Water Reservoir, elevated above ground level	SR	SR	SR	SR	SR
Other Commercial Services					
Building Maintenance Services		P	P	P	
Catering Service	P(1)	P	P	P	P (2)
Collection Center, Collection of Used Goods (See EC 9.5150)	S	S	S	S	
Home Occupation (See EC 9.5350)	S	S	S		S
Mortuary		P	P		
Photographers' Studio	P (1)	P	P	P	
Picture Framing and Glazing	P (1)	P	P	P	P
Printing, Blueprinting, and Duplicating		P	P	P	
Publishing Service		P	P	P	
Temporary Activity (See EC 9.5800)	S	S	S	S	S
Train Station		C	C	P	
Upholstery Shop		P	C	P	
Veterinarian Service	C	P		P	

(Section 9.2160, see chart at front of Chapter 9 for legislative history from 2/26/01 through 6/1/02; and amended by Ordinance No. 20269, enacted November 25, 2002, effective December 25, 2002.)

9.2161 Special Use Limitations for Table 9.2160.

- (1) **Small Business Incentives in C-1.** Each individual business is limited to 5,000 square feet of floor area. Individual businesses shall be permitted to occupy up to 10,000 square feet of floor area on development sites that have a floor area ratio (FAR) of at least .65.
- (2) **Retail Sales and Personal Services Allowance in GO.** Retail sales and

personal services are allowed in the GO zone only if the use is located within a building that already contains office and/or residential uses. The retail sales and personal services area must be limited to 10 percent of the floor area of the building.

- (3) **Drug Treatment Clinic - Non-Residential Allowance in C-2, C-3 and C-4.** Use is permitted on property located within a quarter of a mile of a transit route.
- (4) **Parking Areas in C-2.** Any parking area established after August 1, 2001 that is not directly tied to a specific development shall require approval through the site review process.
- (5) **Parking Areas in C-3.** For surface parking spaces created after August 1, 2001, there shall be at least 1,000 square feet of floor area on the development site for each new parking space created. The maximum number of surface parking spaces on a development site shall be 20. All parking spaces in excess of these limits shall be in structured parking.
- (6) **Residential Use Limitation in C-1 and C-2.** Residential dwellings are allowed in the C-1 and C-2 zones if the ground floor of the structure is used for commercial or non-residential purposes according to Table 9.2161 Commercial Uses Requirements in Mixed-Use Residential Developments.

Table 9.2161 Commercial Uses Requirements in Mixed-Use Residential Developments		
	C-1	C-2
Commercial Uses Requirements in Mixed-Use Residential Developments		
Minimum Percent of Building Street Frontage in Commercial Use. Building street frontage shall be measured along the length of the building at the ground level within the maximum front yard setback. As used herein, "commercial" includes any non-residential use occupying a space at least 15 feet deep from the street facade of the building, excluding parking areas and garages.	80%	60%
Minimum Percent of Ground Floor Area in Commercial Use.	80%	20%

- (7) **Broadcasting Studios, Commercial and Public Education Allowance in GO.** Any number of receiving antennas, and up to 1 station-to-station transmitter-link antenna not to exceed 10 watts are permitted in the GO zone.

(Section 9.2161, see chart at front of Chapter 9 for legislative history from 2/26/01 through 6/1/02.)

9.2170 Commercial Zone Development Standards - General.

- (1) **Intent.** These commercial zone development standards are intended to achieve the following:
 - (a) Improve the quality and appearance of commercial development in the city.
 - (b) Ensure that such development is compatible with adjacent development and is complementary to the community as a whole.
 - (c) Encourage crime prevention through environmental design, decrease opportunity for crime, and increase user perception of safety.

- (d) Increase opportunities for use of alternative modes of transportation.
- (e) Regulate the intensity of use allowed on a site.
- (f) Control the overall scale of commercial buildings.
- (g) Promote streetscapes that are consistent with the desired character of the various commercial zones.
- (h) Promote safe, attractive, and functional pedestrian circulation systems in commercial areas.

(2) **Application of Standards.** In addition to applicable provisions contained elsewhere in this land use code, the development standards listed in Table 9.2170 Commercial Zone Development Standards shall apply to all development in commercial zones except the following:

- (a) Maximum Front Yard Setback,
- (b) Minimum Landscape Area,
- (c) Drive-Through Facilities,

which shall be subject to the special development standards of EC 9.2171(5), EC 9.2171(8) and EC 9.2171(15).

In cases of conflict, the standards specifically applicable in commercial zones shall apply.

Table 9.2170 Commercial Zone Development Standards (See EC 9.2171 Special Development Standards for Table 9.2170.)					
	C-1	C-2	C-3	C-4	GO
Maximum Building Height (1) (2) (3)	35 feet	120 feet (2)	150 feet (2)	50 feet (2)	50 feet (3)
Minimum Front Yard Setback (4) (16)	10 feet	0 feet	0 feet	10 feet	10 feet
Maximum Front Yard Setback (5) (16)	15 feet	15 feet	15 feet	None	15 feet
Minimum Interior Yard Setback (4) (6) (7)	0 feet to 10 feet (6)	0 feet to 10 feet (6)	0 feet	0 feet to 10 feet (6)	0 feet to 10 feet (6)
Minimum Landscape Area (8)	10%	10%	None	10%	10%
Fences (9)					
Outdoor Storage Areas (10)					
Outdoor Merchandise Display (11)					
Garbage Screening (12)					
Utilities (13)					
Delivery and Loading Facilities (14)					
Drive-Through Facilities (15)					
Large Commercial Facilities (See EC 9.2173)					
Large Multi-Tenant Commercial Facilities (See EC 9.2175)					

(Section 9.2170, see chart at front of Chapter 9 for legislative history from 2/26/01 through 6/1/02.)

9.2171 Special Commercial Zone Development Standards for Table 9.2170.

- (1) Exceptions to the general height restrictions for commercial structures stated in Table 9.2170 Commercial Zone Development Standards are contained in:
 - (a) EC 9.6715 Height Limitation Areas.
 - (b) EC 9.6720 Height Exemptions for Roof Structures and Architectural Features.
- (2) Subject to the limitations in subsection (1) of this section, in the C-2, C-3, or C-4 zones, no portion of a building located within 50 feet of a residential zone shall exceed the maximum building height permitted in the abutting residential zone.
- (3) Subject to the limitations in subsection (1) of this section, the maximum permitted building height for main or accessory buildings in the GO zone shall not exceed 35 feet in height within 50 feet of an abutting AG, R-1, or R-2 zone. Otherwise, main and accessory building height maximums shall not exceed 50 feet.
- (4) Exceptions to the general minimum front and interior yard setback requirements stated in Table 9.2170 Commercial Zone Development Standards are contained in:
 - (a) EC 9.6745 Setbacks - Intrusions Permitted.
 - (b) EC 9.6750 Special Setback Standards.
- (5) The maximum front yard setbacks stated in Table 9.2170 Commercial Zone Development Standards, shall apply only to new buildings and any building addition that increases the length of the building facade facing the street by at least 100%. In addition, all new buildings and the portion of the development site specifically affected by the new building are subject to the requirements of this subsection. **(See Figure 9.2171(5) Maximum Front Yard Setbacks, Building Orientation, and Entrances.)**
 - (a) In C-1, at least 80% of all street facing facades of the building must be within the specified maximum front yard setback.
 - (b) In C-2 and C-3, a minimum of 25% of all street facing facades must be within the specified maximum front yard setback, or, orientation to an internal private way is permitted in compliance with EC 9.2173(4)(a).
 - (c) Vehicular parking and circulation is not permitted in between the street and the portion of the building that is used to comply with this subsection.
 - (d) Buildings fronting on a street must provide a main entrance facing the street on any facade of the building within the front yard setback. A main entrance is a principal entrance through which people enter the building. A building may have more than one main entrance. Buildings having frontage on more than one street shall provide at least one main entrance oriented to a street.
 - (e) The land between the portion of a building complying with EC 9.2171(5)(a) or (b) and a street must be landscaped or paved with a hard surface for use by pedestrians. If a hard surface is provided, the area must contain at least the equivalent of 1 pedestrian amenity for every 200 square

feet of hard surface. The use of porous materials for hard surfacing is encouraged. Residential developments are exempt from this subsection. **(See Figure 9.2171(5)(e) Landscaped or Paved Pedestrian Area with Pedestrian Amenities.)**

- (f) The maximum front yard setback may be exceeded if the area between the building and the front property line is landscaped or paved for use by pedestrians. The area must contain at least the equivalent of 1 enhanced pedestrian amenity for every 200 square feet of hard surface. **(See Figure 9.2171(5)(e) Landscaped or Paved Pedestrian Area with Pedestrian Amenities.)**
- (6) Where lot lines abut property within a residential zone category, the minimum interior yard setback for any building shall be 10 feet.
- (7) Minimum interior yard setbacks for large commercial facilities on a lot adjacent to or facing a residential zone shall be 30 feet.
- (8) In addition to the minimum landscape area requirements of Table 9.2170 Commercial Zone Development Standards, the following landscape standards apply to new buildings, and the portion of the development site specifically affected by the new building and shall be subject to the requirements of this subsection.
 - (a) Minimum Landscape Area Required. In all commercial zones, except C-3, a minimum of 10 percent of the development site shall be landscaped with living plant materials. All required landscaping shall comply with landscape standards beginning at EC 9.6200 Purpose of Landscape Standards. Any required landscaping, such as for required front or interior yard setbacks or off-street parking areas, shall apply toward the development site minimum landscape requirement. The area of exterior landscaping on the roof of a building or exposed terrace may be used to meet the 10% minimum landscaping standard. Up to 50% of the landscape area may be a hard surface for recreational or enhanced pedestrian space.
 - (b) Minimum Landscape Standard. Unless otherwise specified in this land use code, required landscape areas must, at a minimum, comply with EC 9.6210(1) Basic Landscape Standard (L-1).
 - (c) Landscaping In Front Yard Setbacks. If a front yard setback contains a landscape planting bed, the planting bed shall be a minimum of 7 feet in width and shall comply, at a minimum, with EC 9.6210(1) Basic Landscape Standard (L-1).
 - (d) Landscaping In Interior Yard Setbacks Abutting Residential Zones. Landscape planting beds within the interior yard setbacks abutting a residential zone shall be a minimum of 7 feet in width and shall comply with EC 9.6210(3) High Screen Landscape Standard (L-3).
 - (e) Street Trees. Street tree requirements are specified in EC 7.280 Street Tree Program - Policies, Standards, Procedure.

(9) Fences.

- (a) **Types.** The type of fence, wall or screen used in any situation is limited only by specific requirements stated in landscape standards beginning at EC 9.6200 Purpose of Landscape Standards.
- (b) **Locations and Heights.**
 - 1. Fences up to 42 inches in height are permitted within the minimum or maximum front yard setback whichever is greater.
 - 2. Fences up to 8 feet high are allowed in interior yard setbacks.
 - 3. The height of fences that are not in required setback areas is the same as the regular height limits of the zone.
 - 4. Fences must meet standards in EC 9.6780 Vision Clearance Area.
(See Figure 9.2171(9) **Fencing Standards in Commercial Zones** and Figure 9.0500 **Vision Clearance Area**.)

(10) Outdoor Storage Areas. Except for plant nurseries, outdoor storage is not permitted in any commercial zone. All merchandise to be stored must be enclosed entirely within buildings or structures.**(11) Outdoor Merchandise Display.**

- (a) Except for plants and garden supply products, outdoor merchandise display is not allowed in C-1 and GO zones.
- (b) In the C-2 and C-4 zones, outdoor display of the uses listed in subsection 1. of this subsection, is permitted when in conformance with the standards listed in subsection 2. of this subsection.
 - 1. Plants and garden supply products; motor vehicle sales, service, and repair; new and used boat sales; large equipment sales and rentals; service station pump islands; vending machines; manufactured home sales; children's outdoor play equipment; and hot tubs.
 - 2. Outdoor merchandise display is not permitted in required setback areas. Except for plant and garden supply displays, outdoor display areas shall be set back a minimum of 7 feet from the front lot lines with required setbacks landscaped to at least the EC 9.6210(1) Basic Landscape Standard (L-1).
- (c) In the C-3 zone, outdoor merchandise display is permitted if all products are placed in an enclosure after business hours.

(12) Garbage Screening. All outdoor garbage collection areas shall be screened on all sides within a solid perimeter enclosure that meets the following standards:

- (a) Materials within enclosures shall not be visible from streets and adjacent properties.
- (b) Required screening shall comply with EC 9.6210(6) Full Screen Fence Landscape Standard (L-6).
- (c) Garbage collection areas shall not be located within required setbacks. Trash or recycling receptacles for pedestrians are exempt from these requirements.

(13) Underground Utilities. All utilities on the development site shall be placed underground, unless adjusted pursuant to EC 9.8030(5). Refer also to EC 9.6775.

(14) Delivery and Loading Facilities.

- (a) Delivery and loading facilities are not permitted in required setback areas.
- (b) On lots abutting parcels with a residential zone, delivery and loading facilities shall be set back a minimum of 10 feet from property lines with required interior yard setbacks landscaped to at least the standards in EC 9.6210(4) High Wall Landscape Standard (L-4).

(15) Drive-Through Facilities.

- (a) Application. The regulations in (b) through (e) of this subsection apply to the establishment of new drive through facilities, the addition of travel lanes for existing drive-through facilities in existing developments, and the relocation of an existing drive-through facility.
- (b) Drive-Through Facilities in C-1 Zone. Drive-through facilities are not permitted in C-1 zones.
- (c) Service Areas Setback and Landscaping. Service areas and stacking lanes shall be set back a minimum of 10 feet from all lot lines. Setback areas abutting a street shall be landscaped to at least the standards in EC 9.6210(1) Basic Landscape Standard (L-1). Interior yard setback areas must be landscaped to at least the standards in EC 9.6210(3) High Screen Landscape Standard (L-3).
- (d) Driveway Entrances. All driveway entrances, including stacking lane entrances, must be at least 100 feet from an intersection, as measured along the property line from the tangent point of a corner radius and the closest edge of a driveway.
- (e) Stacking Lanes. Design of stacking lanes shall conform with the requirements of EC 9.6420 Parking Area Standards.
- (f) Adjustments. Except for lots adjacent to land zoned residentially, adjustments to subsection (c) Service Areas Setback and Landscaping may be made based on criteria at EC 9.8030(2) Setback Standards Adjustment.

(16) Adjustments. Adjustments to the minimum and maximum front yard setbacks in this section may be made, based on criteria at EC 9.8030(2) Setback Standards Adjustment.

(Section 9.2171, see chart at front of Chapter 9 for legislative history from 2/26/01 through 6/1/02; and amended by Ordinance No. 20269, enacted November 25, 2002, effective December 25, 2002.)

9.2173 Commercial Zone Development Standards - Large Commercial Facilities.**(1) Description and Purpose.** The intent of these regulations is to:

- (a) Improve the appearance and function of large commercial developments in any commercial zone.
- (b) Encourage efficient use of land resources and urban services.
- (c) Encourage mixed use.
- (d) Support transportation options.
- (e) Promote detailed, human-scale site and building design.

(2) Application of Standards. In addition to the standards of EC 9.2170

Commercial Zone Development Standards - General, the standards in this section apply to any new building with 25,000 square feet or more of floor area, and the portion of the development site specifically affected by the new building.

(3) **Building Entrances.**

- (a) All building sides that face an adjacent street shall feature at least one customer entrance. (See **Figure 9.2173(3) Large Commercial Facilities - Building Entrances.**)
- (b) Where a building faces more than two adjacent streets, excluding those with limited access, this requirement shall apply only to two sides of the building.
- (c) Corner entrances, placed at an angle of up to 45 degrees from the primary street, as measured from the street lot line, may be substituted for separate entrances required under subsection (b), above. (See **Figure 9.2173(3) Large Commercial Facilities - Building Entrances.**)

(4) **Off-Street Parking.**

- (a) No off-street parking shall be located between the front facade of any building(s) and the primary adjacent street. This standard applies to buildings constructed or completely reconstructed after August 1, 2001.
- (b) Individual parking areas may be no larger than 55,000 square feet in size. Separation between individual parking areas may be achieved by placement of internal accessways. Such accessways used to separate parking areas shall have at least one travel lane, curbs, and sidewalks at least 8 feet in width on both sides of the access way.

(5) **Vehicle Connections Between Sites.** For development sites that abut an arterial or collector street, at least one internal vehicle accessway connection must be made between the subject development site and adjacent sites zoned for commercial use.

(6) **On-Site Pedestrian Circulation.** In place of standards set forth in EC 9.6730 Pedestrian Circulation On-Site, the following standards shall apply to large commercial facilities:

- (a) A continuous internal pedestrian walkway, no less than 8 feet in width, shall be provided from the public sidewalks or right-of-way to all customer entrances of all buildings on the development site, and to all public sidewalks and paths abutting the development site.
- (b) Sidewalks, no less than 8 feet in width, shall be provided along the full length of building walls featuring a customer entrance, and along any wall abutting public parking areas. Such sidewalks shall be located at least 6 feet from the wall of the building to provide planting beds for foundation landscaping, except where features such as arcades or entryways are part of the facade.
- (c) Sidewalks, no less than 8 feet in width, shall be provided for direct connection to entrances of all new and existing buildings on the development site to one another, except entrances used for loading and

unloading freight.

- (d) Internal pedestrian walkways provided in conformance with subsection (a) above shall provide weather protection features such as awnings or arcades within 30 feet of all customer entrances.
 - (e) At least one pedestrian accessway connection, a minimum of 8 feet in width, shall be made to connect the buildings on the subject development site to all adjacent sites either developed or zoned for commercial, office, residential, or institutional use.
 - (f) All on-site pedestrian walkways located in vehicle use areas shall be distinguished from driving surfaces through the use of durable, low maintenance surface materials such as pavers, bricks, or scored concrete to enhance pedestrian safety and comfort, as well as the attractiveness of the walkways.
- (7) **Interior Yard Landscaping.** Interior yards abutting a lot with a residential zone shall be provided with landscaping that meets the requirements in EC 9.6210(7) Massed Landscape Standard (L-7). The required landscaping may be pierced by pedestrian and vehicular access ways.
- (8) **Service and Loading Areas.**
- (a) Loading docks, outdoor storage, utility meters, mechanical equipment, trash collection, trash compaction, and other service functions shall comply with the standards stated in EC 9.2170 Commercial Zone Development Standards - General.
 - (b) Outdoor areas for the display and sale of seasonal inventory shall be permanently defined and landscaped as set forth in EC 9.2171(11) Outdoor Merchandise Display.
- (9) **Delivery and Loading Facilities.** On lots abutting parcels zoned for residential development, delivery and loading facilities shall be set back a minimum of 30 feet from property lines with required setbacks landscaped to at least the standards in EC 9.6210(4) High Wall Landscape Standard (L-4).
- (10) **Exterior Wall Articulation, Facades, and Ground Floor Windows.**
- (a) Exterior building walls shall not continue along an uninterrupted plane for more than 100 feet. An uninterrupted plane is a wall that has no variation in exterior surface along its length. Except for building walls facing an alley, ground floor facades 100 feet or greater in length, measured horizontally, shall incorporate wall plane projections or recesses having a depth of at least 3 percent of the length of the facade and extending at least 20 percent of the length of the facade. (See Figure 9.2173(10)(a) Large Commercial Facilities-Exterior Wall Articulation.)
 - (b) Ground floor facades that face streets adjacent to the development site shall have arcades, collonades, display windows, entry areas, awnings, or other such features along no less than 50 percent of their horizontal length. (See Figure 9.2173(10)(b) Large Commercial Facilities-Exterior Facades.)
 - (c) Except for building walls facing an alley, ground floor walls shall contain