

windows (as stated below) at the ground level. The windows may extend a maximum sill height of 4 feet above finished grade to any head height. The portion of window area meeting this standard is from the sill (bottom edge) to the head (top edge) including portions up to 9 feet above the finished grade. Alcoves, entryways, and extruding portions of the wall shall be treated by measuring through such areas as though along the flat wall of a building. **(See Figure 9.2173(10)(c) Large Commercial Facilities-Ground Floor Window Calculation.)** Solid walls are prohibited along street frontages. This standard does not apply to parking structures.

1. **General Standard.** The windows in any walls that require windows shall occupy at least 50 percent of the length and 25 percent of the ground floor wall area. Required window areas shall be either windows that allow views into working areas or lobbies, pedestrian entrances, or display windows. The bottom of the windows shall be no more than 4 feet above the finished grade.
2. **Corner Lots.** On corner lots, the general ground floor window standard stated in subsection (c) must be met on one street frontage only. On the other street(s), the requirement is ½ of the general standard. The applicant may choose on which street to apply the general standard.

(11) Adjustments. Adjustments to the standards in this section may be made, based on criteria at EC 9.8030(6) Large Commercial Facilities Standards Adjustment.

(Section 9.2173, see chart at front of Chapter 9 for legislative history from 2/26/01 through 6/1/02.)

9.2175 Commercial Zone Development Standards - Large Multi-Tenant Commercial Facilities.

- (1) **Description and Purpose.** The intent of these regulations is to assure that the design and layout of large multi-tenant commercial facilities (e.g. shopping centers) facilitates pedestrian safety, comfort, and convenience.
- (2) **Application of Standards.** In addition to the standards in EC 9.2170 Commercial Zone Development Standards - General, and the standards in EC 9.2173 Commercial Zone Development Standards - Large Commercial Facilities the standards in this section apply to all development projects proposing at least 50,000 square feet of floor area within 3 or more new buildings on a development site, and the portion of the development site specifically affected by the new buildings.
- (3) **On-Site Vehicle Circulation.** Site plans for large multi-tenant commercial facilities shall clearly indicate the types of circulation facilities to be built on site. **(See Figure 9.2175(5) Large Multi-Tenant Commercial Facilities.)** Types to be identified include the following:
 - (a) **Internal Accessways.** Accessways are used to provide separation and circulation between individual parking areas on the site. See EC

- 9.2173(4)(b). Accessways used to provide separation between parking areas shall have at least one travel lane, curbs, and sidewalks (minimum 8' in width) on both sides of the accessway.
- (b) Private Drive. Private drives are used to provide general circulation around the site and must include the following elements: two travel lanes, sidewalks (minimum 8' in width) on both side of the streets; street trees with an average spacing of 50'; pedestrian-scale lighting and on-street parking (except in required fire lanes).
 - (c) Shopping Streets. Shopping streets are part of the general circulation system, are designed to provide a comfortable and pleasant shopping environment for the pedestrian, and may be either public or private streets. Shopping streets must include the following elements: two travel lanes, sidewalks (minimum 12' in width) on both sides of the street; street trees planted within planting strip and with an average spacing of 50', pedestrian-scale lighting; curb extensions at intersections and on-street parking. (See Figure 9.2175(3)(c) Shopping Street Standards.)
- (4) **Shopping Street Site Layout.**
- (a) To insure that large multi-tenant centers include pedestrian-oriented areas, the site plan must include a shopping street designed to accommodate and stimulate pedestrian activity.
 - (b) Shopping streets blocks shall not exceed 400' in length.
 - (c) Buildings shall occupy at least 80% of the frontage on both sides of the shopping street. (See Figure 9.2175(5) Large Multi-Tenant Commercial Facilities.)
- (5) **Building Orientation.**
- (a) All buildings on the site must be oriented to either a public street, a private drive, or a shopping street. The building orientation standard is met when the building is placed within the maximum setback established for the zone. The maximum setback may be exceeded if the area between the building and the street or private drive is landscaped or is an enhanced pedestrian space. (See Figure 9.2175(3)(c) Shopping Street Standards.)
 - (b) Private drives used to meet building orientation standards must incorporate street design elements described in EC 9.2175(3)(b). When private drives are used, the setback is measured from the back of the sidewalk.
 - (c) On all buildings that meet the building orientation standard, building entries must be in compliance with EC 9.2173(3)(b). (See Figure 9.2175(5) Large Multi-Tenant Commercial Facilities.)
- (6) **Pedestrian Amenities and Community Spaces.**
- (a) Each development site subject to these standards shall contribute to the establishment or enhancement of community and public spaces by providing a space where at least two of the following: patio-seating area, pedestrian plaza with benches, covered playground area, kiosk area, water feature, clock tower or other similar focal feature or amenity. Any such area shall have direct access to the public sidewalk network and be placed

in a visible location that is convenient for use as a public gathering area.

- (b) The review authority may find compliance with this standard if the proposed pedestrian amenities and community spaces are incorporated as part of the shopping street. Examples include wider sidewalks, special paving, ornamental lighting, planters, public benches and seating walls, and public art. (See Figure 9.2175(5) **Large Multi-Tenant Commercial Facilities.**)

- (7) **Adjustments.** Adjustments to the standards in this section may be made, based on criteria at EC 9.8030(7) Large Multi-tenant Commercial Facilities Standards Adjustment.

(Section 9.2175, see chart at front of Chapter 9 for legislative history from 2/26/01 through 6/1/02.)

9.2180 Commercial Zone Lot Standards. The following Table 9.2180 sets forth lot standards within commercial zones. The numbers enclosed within (#) indicate a special development standard of EC 9.2181.

Table 9.2180 Commercial Zone Lot Standards (See EC 9.2181 Special Standards for Table 9.2180.)					
	C-1	C-2	C-3	C-4	GO
Area Minimum (1)					
All Lots	6,000 square feet	6,000 square feet	6,000 square feet	6,000 square feet	6,000 square feet
Frontage Minimum (1)					
Interior Lot	50 feet	50 feet	50 feet	50 feet	50 feet
Corner Lot	50 feet	50 feet	50 feet	50 feet	50 feet
Curved Lot	35 feet	35 feet	35 feet	35 feet	35 feet
Cul-de-sac Bulb	35 feet	35 feet	35 feet	35 feet	35 feet
Flag Lot					
1 Lot	15 feet	15 feet	15 feet	15 feet	15 feet
2 to 4 Lots	25 feet	25 feet	25 feet	25 feet	25 feet
Average Width Minimum (1)					
Interior Lot	50 feet	50 feet	50 feet	50 feet	50 feet
Corner Lot	50 feet	50 feet	50 feet	50 feet	50 feet
Curved Lot	35 feet	35 feet	35 feet	35 feet	35 feet
Cul-de-sac Bulb	35 feet	35 feet	35 feet	35 feet	35 feet
Flag Lot	40 feet	20 feet	20 feet	20 feet	20 feet

(Section 9.2180, 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.)

9.2181 Special Standards for Table 9.2180.

- (1) Lot area, frontage, and width minimums may be adjusted in accordance with the provisions of EC 9.8030(1). Modifications may be approved through a planned unit development. (For planned unit development procedures refer to EC 9.7300 General Overview of Type III Application Procedures and for approval criteria refer to EC 9.8320 Tentative Planned Unit Development Approval Criteria - General.)

(Section 9.2181, see chart at front of Chapter 9 for legislative history from 2/26/01 through 6/1/02.)

Industrial Zones

9.2400 Purpose of I-1 Campus Industrial Zone. The purpose of the I-1 Campus Industrial zone is to implement the Metro Plan by providing large areas for specialized light industrial firms to locate in a campus-like setting. In general, this zone is designed for firms that will help achieve economic diversification objectives and that typically have a large number of employees per acre. The activities of such firms do not generate offensive external impacts and usually do not tolerate substantial noise, pollution, or vibration from surrounding uses. The zone is designed to provide sites for large-scale offices that provide a scientific and educational research function or directly serve manufacturing uses or other industrial or commercial enterprises (and not the general public). Provision is also made for small- and medium-scale industrial uses within the context of business parks that will maintain the campus-like setting. On a limited basis, complementary uses are permitted, such as restaurants that primarily serve employees in the immediate area.

(Section 9.2400, see chart at front of Chapter 9 for legislative history from 2/26/01 through 6/1/02.)

9.2410 Purpose of I-2 Light-Medium Industrial Zone. The purpose of the I-2 Light-Medium Industrial zone is to implement the Metro Plan by providing areas to serve a wide variety of manufacturing and other industrial activities with controlled external impacts in locations designated for Light-Medium Industry in the Metro Plan. These types of industries are often involved in the secondary processing of materials into components, the assembly of components into finished products, transportation, communication and utilities, wholesaling, and warehousing. The external impact from these uses is generally less than Heavy Industrial, and transportation needs are often met by truck. Activities are generally located indoors, although there may be some outdoor storage. On a limited basis, supporting offices and commercial uses are permitted.

(Section 9.2410, see chart at front of Chapter 9 for legislative history from 2/26/01 through 6/1/02.)

9.2420 Purpose of I-3 Heavy Industrial Zone. The purpose of the I-3 Heavy Industrial zone is to implement the Metro Plan by providing areas to serve a range of manufacturing uses including those involved in the processing of large volumes of raw materials into refined

products and/or industrial uses that have significant external impacts. In general, these areas are designated for heavy industry in the Metro Plan. Heavy industrial uses often have transportation needs that include both rail and truck.

Less intensive industrial uses that are permitted in the Light-Medium Industrial zone are also permitted.

(Section 9.2420, see chart at front of Chapter 9 for legislative history from 2/26/01 through 6/1/02.)

9.2430 Industrial Zone Siting Requirements. In addition to the approval criteria in EC 9.8865 Zone Change Approval Criteria, the following siting requirements apply:

- (1) **I-1 Campus Industrial.** This zone is limited to areas designated Campus Industrial in the Metro Plan.
- (2) **I-2 Light-Medium Industrial.** This zone is limited to areas designated Light-Medium Industrial in the Metro Plan or those that meet all of the following minimum siting requirements:
 - (a) Access to arterial streets without undue negative impact on residential streets.
 - (b) No more than 5 acres.
 - (c) Sufficient street frontage to accommodate structures, parking, and access in character with adjacent non-industrial properties.
- (3) **I-3 Heavy Industrial.** This zone is limited to areas designated either Heavy Industrial or Special Heavy Industrial in the Metro Plan.

(Section 9.2430, see chart at front of Chapter 9 for legislative history from 2/26/01 through 6/1/02.)

9.2450 Industrial Zone Land Use and Permit Requirements. The following Table 9.2450 Industrial Zone Land Use and Permit Requirements identifies those uses in the Industrial 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 that are described in EC 9.2451.

The examples listed in Table 9.2450 are for informational purposes and are not exclusive. Table 9.2450 does not indicate uses subject to Standards Review. Applicability of Standards Review procedures is set out at EC 9.8465.

Table 9.2450 Industrial Zone Land Use and Permit Requirements			
	I-1	I-2	I-3
Accessory Uses			
Accessory Uses. <u>Examples</u> include security work, administration offices, and storage and distribution incidental to the primary use of the site.	P	P	P
Agricultural, Resource Production and Extraction			
Horticultural Uses. <u>Examples</u> include field crops, orchards, berries, and nursery or flower stock.		P	P
Mineral Resource Mining, Recovery, Stockpiling, Processing (excluding smelter or ore reduction)		SR	SR
Eating and Drinking Establishments			
Delicatessen	P (5)	P (2)	
Restaurant	P (5)	P (2)	
Specialty Food and Beverage. <u>Examples</u> include bagel, candy, coffee, donut, and ice cream stores. Products manufactured on-site shall comply with manufacturing allowances for food and beverage products.	P (5)	P (2)	
Education, Cultural, Religious, Social and Fraternal			
Artist Gallery/Studio	P	P	P
Ballet, Dance, Martial Arts, and Gymnastic School/Academy/Studio	C	C	
Church, Synagogue, and Temple, including associated residential structures for religious personnel	C	C	
Club and Lodge of State or National Organization		P	P
Library	P	P	P
School, Business or Specialized Educational Training (excludes driver instruction)	P	P	P
School, Driving (including use of motor vehicles)		P	P
Entertainment and Recreation			
Athletic Facility and Sports Club	C	C	
Race Track, including drag strip and go-cart tracks		C	C
Theater, Live Entertainment	C (3)	C (3)	C (3)
Financial Services			
Automated Teller Machine (ATM)	P	P	P
Bank, Savings and Loan Office, Credit Union	P (5) (6)	P (2)(6)	
Government			
Government Services, not specifically listed in this or any other uses and permit requirements table. <u>An example</u> could include: a fire station.	P	P	P
Information Technology Services			
Computer Networking (includes services and technical support center)	P (6)	P (6)	
E-commerce (excludes on-site shipping via truck unless approved through a site review or PUD)	P (6)	P (6)	
Healthcare Informatics (includes biotechnology, bioinformatics, and medical informatics)	P (6)	P (6)	

Table 9.2450 Industrial Zone Land Use and Permit Requirements			
	I-1	I-2	I-3
Internet and Web Site (includes services and technical support center)	P (6)	P (6)	
Software Development (includes services and technical support center)	P (6)	P (6)	
Lodging			
Homeless Shelter in Existence as of January 1, 1984 (See EC 9.5300)		S	
Homeless Shelter Not in Existence as of January 1, 1984		C	C
Manufacturing (Includes processing, assembling, packaging, and repairing)			
Apparel, Clothing, and other finished products made from fabrics, wool, yarn and similar materials		P	P
Asphalt Mixing and Batching/Concrete Mixing and Batching		SR	SR
Chemical, Drug, Cosmetics, and Related Products	P	P	P
Cleaning and Dyeing Plant		P	P
Concrete, Gypsum, and Plaster Products		P	P
Contractor's Storage Yard		P	P
Electronic and Communication Components, Systems, Equipment, and Supplies, includes computers and semi-conductors	P	P	P
Explosives, includes manufacturing			C
Food and Beverage Products		P	P
Furniture and Fixtures		P	P
Glass Products		P	P
Handcraft Industries, small scale manufacturing		P	P
Leather Products		P	P
Lumber and Wood Products		P	P
Machinery		P	P
Measuring, analyzing, and controlling instruments and time pieces	P	P	P
Metal Products Fabrication, machine/welding shops (no blast furnaces)		P	P
Motion Picture Production, Distribution, and Allied Services	P	P	P
Motor Vehicles and Transportation Equipment		P	P
Paints and Allied Products		P	P
Paper and Allied Products		P	P
Photographic and Copying Equipment		P	P
Precision Testing, Medical, Optical, Surgical, and Dental Goods	P	P	P
Recycling- composting, facilities requiring DEQ permit		P	P
Recycling- large collection facility			P
Recycling- reverse vending machine		P	P
Recycling- scrap and dismantling yard (includes vehicle wrecking and salvage)			P
Recycling- small collection facility (See EC 9.5650)		S	P
Rubber and Plastic Products		P	P
Signs and Advertising Displays		P	P
Slaughterhouse and Rendering Plant (indoor only)			P

Table 9.2450 Industrial Zone Land Use and Permit Requirements			
	I-1	I-2	I-3
Stone, Cut Stone, and Clay Products		P	P
Textiles		P	P
Medical, Health, and Correctional Services			
Correctional Facility, excluding Residential Treatment Center	C	C	C
Drug Treatment Clinic - Non-Residential		P (4)	
Laboratory, includes medical, dental, and x-ray. Use shall directly serve manufacturers, or other industrial or commercial enterprises, but exclude services offered on premises to the general public other than on an incidental basis.	P		
Residential Treatment Center	C	C	
Motor Vehicle Related Uses			
Motorcycle Sales/Rental/Service		P	
Parking Area not directly related to a primary use on the same development site	P	P	P
Recreational Vehicle and Heavy Truck, Sales/Rental/Service		P	P
Repair, includes paint and body shop		P	P
Service Station, includes quick servicing -- Only permitted if property is located over one-half mile by motor vehicle travel from commercially zoned land.		P	P
Structured Parking, up to two levels not directly related to a primary use on the same development site	P	P	P
Structured Parking, three or more levels not directly related to a primary use on the same development site	P	P	P
Tires, Sales/Service		P	P
Transit, Neighborhood Improvement	P	P	P
Transit Park and Ride, Major or Minor	P	P	P
Transit Station, Major	P	P	P
Transit Station, Minor	P	P	P
Office Uses			
Administrative, General, and Professional Offices, directly serving manufacturers or other industrial or commercial enterprises, but excluding services offered on premises to the general public other than on an incidental basis. <u>Examples</u> may include public relations; graphic arts and advertising; professional membership and labor union office; engineering, architectural, and surveying offices.	P(1)(6)	P (2)(6)	
Scientific and Educational Research Center, includes laboratory	P (6)	P (6)	P
Personal Services			
Barber, Beauty, Nail, Tanning Shop	P (5)	P (2)	
Day Care Facility (Not associated with a residence)	P	P (2)	
Trade (Retail and Wholesale)			
Agricultural Machinery Rental/Sales/Service		P	P
Boat and Watercraft Sales/Service		P	P
Building Materials and Supplies		P	P
Convenience Store	P (5)	P (2)	
Equipment, Light, Rental/Sales/Service		P	P

Table 9.2450 Industrial Zone Land Use and Permit Requirements			
	I-1	I-2	I-3
Equipment, Heavy, Rental/Sales/Service- includes truck and tractor sales		P	P
Garden Supply/Nursery, includes feed and seed store		P	
Manufactured Dwelling Sales/Service/Repair		P	P
Plumbing Supplies		P	P
Regional Distribution Center	P	P	
Retail trade when secondary, directly related, and limited to products manufactured, repaired, or assembled on the development site	P (5)	P	P
Storage Facility, Household/Consumer Goods		P	P
Wholesale Trade (excluding Regional Distribution Center)		P	P
Utilities and Communication			
Amateur Radio Antenna Structure (See EC 9.5050)		S	S
Broadcasting Studio, Commercial and Public Education	P	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	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.	SR	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.	SR	P	P
Telecommunication Tower or Facility (See EC 9.5750)		S	S
Water Reservoir, elevated above ground level	SR	SR	SR
Other Commercial Services			
Building Maintenance Services	P	P	P
Cemetery, includes crematoria, columbaria, and mausoleums		C	C
Collection Center, Collection of Used Goods (See EC 9.5150)		P	P
Garbage Dump, Sanitary Land Fill		C	C
Heliport and Helistop		C	C
Kennel		C	C
Mortuary		C	C
Photographers' Studio		P (2)	P (2)
Picture Framing and Glazing		P (2)	P (2)
Printing, Blueprinting and Duplicating	P	P	P
Publishing Service	P	P	P
Temporary Activity (See EC 9.5800)	S	S	S
Train Station		P	P

(Section 9.2450, see chart at front of Chapter 9 for legislative history from 2/26/01 through 6/1/02.)

9.2451 Special Use Limitations for Table 9.2450.

- (1) **Office Allowance in I-1.** At least fifty percent of a building designed and used primarily for office use shall be occupied by a single tenant. In addition, any office building constructed after August 1, 2001 shall require approval as part of a business park according to site review or planned unit development procedures. At least 50% of the total ground floor area within the business park shall be in industrial use. The total office space, combined with any commercial support services, shall not exceed 50% of the total ground floor area within the business park. (For purposes of this code, the term "industrial use" includes all uses in the categories of "Manufacturing" and "Information Technology Services," and the following uses: laboratory, includes medical, dental and x-ray; broadcasting studio; regional distribution center; printing, blueprinting, and duplicating; and publishing service.) For purposes of inclusion of office space within a business park, industrial square footage existing on August 1, 2001 cannot be included for calculation purposes in business parks unless the industrial square footage was approved and constructed through a site review or planned unit development procedure prior to August 1, 2001.
- (2) **Eating and Drinking, Financial, Office, Personal Services, and Trade Allowance in I-2.** These uses require approval as part of a business park according to site review or planned unit development procedures. The combined floor area of all these types of uses shall not exceed 20 percent of the total floor area of all buildings within the business park.
- (3) **Theaters, Live Entertainment.** Theaters with live entertainment are conditionally permitted in existing buildings. No new buildings shall be constructed in the industrial zones with the primary purpose of live theatrical productions.
- (4) **Drug Treatment Clinic - Non-Residential.** Use is permitted on property located within a quarter mile of a transit route.
- (5) **Eating and Drinking, Financial, Personal Services, and Trade Allowance in I-1.** These uses require approval as part of a business park according to site review or planned unit development procedures. The combined floor area of all these types of uses shall not exceed 15 percent of the total floor area of all buildings within the business park. These uses shall be designed and located within buildings that contain another permitted primary use and shall exclude any drive-through.
- (6) **Applicability of Large Commercial Facilities Standards for Offices in I-1 and I-2.** These uses shall comply with the standards in EC 9.2173 Commercial Zone Development Standards - Large Commercial Facilities.

(Section 9.2451, see chart at front of Chapter 9 for legislative history from 2/26/01 through 6/1/02.)

9.2460 Industrial Zone Development Standards.

- (1) **Intent.** The industrial zone development standards are intended to achieve the following:
 - (a) Improve the quality and appearance of industrial 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 uses allowed on a site.
 - (f) Promote streetscapes that are consistent with the desired character of the various industrial zones.
 - (g) Promote safe, attractive, and functional pedestrian circulation systems in industrial areas with higher employment ratios.
- (2) **Application of Standards.** In addition to applicable provisions contained elsewhere in this land use code, the development standards listed in Table 9.2460 Industrial Zone Development Standards shall apply to all development in industrial zones. In cases of conflict, the standards specifically applicable in industrial zones shall apply.

Table 9.2460 Industrial Zone Development Standards			
	I-1	I-2	I-3
Maximum Building Height (1)	None	None	None
Minimum Front Yard Setback (2)			
Abutting any zone except residential or park and open space	30 feet	0 feet	0 feet
Abutting residential or park and open space zone	30 feet	10 feet	10 feet
Minimum Interior Yard Setback			
Abutting any zone except residential or park and open space (2)	0 feet	0 feet	0 feet
Abutting residential or park and open space zone (2)	20 feet	20 feet	20 feet
Minimum Landscape Standard abutting a residential zone (3)	High Screen	High Wall	High Wall
Minimum Landscape Area (3)	20%	Some (4)	Some (4)
On-Site Pedestrian Requirements (5)	Yes	No	No
Fences (6)			
Outdoor Storage Areas (7)			
Outdoor Merchandise Display (8)			
Garbage Screening (9)			
Utilities (10)			
Drive Through Facilities (11)			
Delivery and Loading Facilities (12)			

(Section 9.2460, see chart at front of Chapter 9 for legislative history from 2/26/01 through 6/1/02.)

9.2461 Special Development Standards for Table 9.2460.

- (1) Buildings in industrial zones are subject to the general height regulations contained in:
 - (a) EC 9.6715 Height Limitation Areas.
 - (b) EC 9.6720 Height Exceptions for Roof Structures and Architectural Features.
- (2) Exceptions to the general setbacks stated in Table 9.2460 Industrial Zone

Development Standards are contained in the following:

- (a) EC 9.6745 Setbacks - Intrusions Permitted.
- (b) EC 9.6750 Special Setback Standards.
- (3) **Landscape Standards.**
 - (a) Minimum Landscape Area Required. In I-1, a minimum of 20 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 landscape, such as for required front or interior yard setbacks, or off-street parking areas, shall apply toward any development site area landscape requirement.
 - (b) Landscaping in Front Yard Setbacks.
 - 1. In I-1, required front yard setbacks along arterial streets shall be provided with landscaping that complies, at a minimum, with the standards in EC 9.6210(7) Massed Landscape Standard (L-7). Front yard setbacks along collector or local streets shall be provided with landscaping that complies, at a minimum, with the standards in EC 9.6210(1) Basic Landscape Standard (L-1). The required landscaping may be pierced by pedestrian and vehicular access ways.
 - 2. In the I-2 and I-3, required front yard setbacks shall be provided with landscaping that complies, at a minimum, with the standards in EC 9.6210(1) Basic Landscape Standard (L-1). The required landscaping may be pierced by pedestrian and vehicular access ways.
 - (c) Landscaping in Interior Yard Setbacks Abutting Residential Zones.
 - 1. In I-1, required interior yard setbacks adjacent to a residential zone shall be provided with landscaping that is at least 10 feet in width and complies, at a minimum, with the standards in EC 9.6210(3) High Screen Landscape Standard (L-3).
 - 2. In the I-2 and I-3, required interior yard setbacks adjacent to a residential zone shall be provided with landscaping that is at least 10 feet in width and complies, at a minimum, with the standards in EC 9.6210(4) High Wall Landscape Standard (L-4).
 - (d) Street Trees. Street tree requirements are specified in EC 7.280 Street Tree Program - Policies, Standards, Procedures.
- (4) Minimum landscape area requirements do not apply to developments in I-2 and I-3 zones except as associated with parking lot landscape and off-street loading requirements.
- (5) Pedestrian facilities are required in I-1 as specified in EC 9.6730 Pedestrian Circulation On-Site of this land use code. On-site pedestrian facilities are not required in I-2 or I-3.
- (6) **Fences.**
 - (a) Types. The type of fence, wall, or screen used in any situation is limited only by specific requirements stated in the landscape standards beginning at EC 9.6200 Purpose of Landscape Standards. The standards apply to walls, fences, and screens of all types including open, solid, wood, metal, wire, masonry or other material. Use of barbed wire and electric fencing is

regulated in EC 6.010(d) Fences. Chain link fencing is prohibited within I-1.

(b) Location and Heights.

1. Fences up to 42 inches in height are permitted within the front yard setback.
2. Fences up to 8 feet high are permitted in the 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 the standards in EC 9.6780 Vision Clearance Area.

(7) **Outdoor Storage Areas.**

- (a) In I-1 zones, no equipment (except operational motor vehicles), materials, or supplies shall be stored on-site except within an enclosed building. Exceptions to this standard may be allowed as necessary only to comply with state or local safety regulations.
- (b) Outdoor storage is permitted in I-2 and I-3 zones. The setback and landscaping standards for outdoor storage areas are stated in Table 9.2461(8) Outdoor Storage and Display-Setbacks and Landscaping.

(8) **Outdoor Merchandise Display.** Outdoor display of goods is permitted in all industrial zones except I-1. The setbacks and landscaping standards for outdoor merchandise display are stated in Table 9.2461(8) Outdoor Storage and Display-Setbacks and Landscaping.

Table 9.2461(8) Outdoor Storage and Display-Setbacks and Landscaping				
		I-1	I-2	I-3
Outdoor Storage				
Adjacent to a street.	Permitted: Setback: Landscape:	No	Yes 10 feet High Wall Landscape Standard - (L-4)	Yes 10 feet High Wall Landscape Standard - (L-4)
Adjacent to a commercial or industrial zone.	Permitted: Setback: Landscape:	No	Yes None Screening Fence Landscape Standard - (L-5)	Yes None None
Adjacent to a residential or park and recreation zone.	Permitted: Setback: Landscape:	No	Yes 10 feet High Wall Landscape Standard - (L-4)	Yes 10 feet High Wall Landscape Standard - (L-4)

Table 9.2461(8) Outdoor Storage and Display-Setbacks and Landscaping				
		I-1	I-2	I-3
Outdoor Display				
Adjacent to a street.	Permitted: Setback: Landscape:	No	Yes 10 feet Low Screen Landscape Standard - (L-2)	Yes 10 feet Low Screen Landscape Standard - (L-2)
Adjacent to a commercial or industrial zone.	Permitted: Setback: Landscape:	No	Yes None None	Yes None None
Adjacent to a residential or park and recreation zone.	Permitted:	No	No	No

- (9) **Garbage Screening.** In all zones except I-3 Heavy Industrial, garbage collection areas must be screened so as to meet the standards of subsections (a) and (b) below. Trash receptacles for pedestrian use are exempt from these requirements.
- (a) Required screening shall comply with one of the following:
1. EC 9.6210(3) High Screen Landscape Standard (L-3).
 2. EC 9.6210(4) High Wall Landscape Standard (L-4).
 3. EC 9.6210(5) Partial Screen Fence Landscape Standard (L-5).
- (b) Garbage collection areas shall not be located within required setback areas or within required landscape areas associated with parking areas.
- (10) **Utilities.** Within I-1 Campus Industrial, all utilities on the development site shall be placed underground, unless adjusted pursuant to the provisions of EC 9.8030(5) of this land use code. Undergrounding of utilities is not required in other industrial zones. This provision does not apply to temporary uses on a development site. This requirement is satisfied if the applicant verifies in writing that utilities will be placed underground concurrent with a planned future development to occur within 12 months. Exceptions shall be made for such features as padmounted transformers, switch cabinets, back flow prevention devices and closures needed to safely operate and maintain utility systems.
- (11) **Drive-Through Facilities.**
- (a) Application. The following regulations apply to all uses that have drive through facilities including new developments, the addition of drive-through facilities in existing developments, and the relocation of an existing drive-through facility.
- (b) Drive-Through Facilities in I-1. Drive-through facilities are not permitted in I-1.
- (c) Service Areas Setback and Landscaping. Service areas and stacking lanes must be set back a minimum of 10 feet from all lot lines. Front yard setbacks shall be provided with landscaping that complies, at a minimum,

with the standards in EC 9.6210(2) Low Screen Landscape Standard (L-2). Interior yard setbacks shall be provided with landscaping that complies, at a minimum, with 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.

(12) Delivery and Loading Facilities.

- (a) Delivery and loading areas are not permitted in required setback areas.
- (b) On lots abutting parcels zoned for residential development, delivery and loading facilities shall be setback a minimum of 20 feet from property lines with required setbacks landscaped to at least the standards in EC 9.6210(4) High Wall Landscape Standard (L-4).

(Section 9.2461, see chart at front of Chapter 9 for legislative history from 2/26/01 through 6/1/02.)

9.2470 Industrial Zone Lot Standards. The following Table 9.2470 sets forth lot standards within industrial zones. The numbers enclosed within (#) indicate a special standard of EC 9.2471.

Table 9.2470 Industrial Zone Lot Standards			
	I-1	I-2	I-3
Area Minimum (1) All Lots	10 acres prior to site plan approval. 2 acre minimum lot size following site plan approval.	6,000 square feet 5 acre minimum lot size for any business park and the allowance of non-manufacturing uses.	6,000 square feet
Frontage Minimum (1) Interior Lot Corner Lot Curved Lot Cul-de-sac Bulb Alley Access Flag Lot 1 Lot 2 to 4 Lots	50 feet 50 feet 35 feet 35 feet na na 15 feet 25 feet	50 feet 50 feet 35 feet 35 feet na na 15 feet 25 feet	50 feet 50 feet 35 feet 35 feet na na 15 feet 25 feet

Table 9.2470 Industrial Zone Lot Standards			
	I-1	I-2	I-3
Average Width Minimum (1)			
Interior Lot	50 feet	50 feet	50 feet
Corner Lot	50 feet	50 feet	50 feet
Curved Lot	35 feet	35 feet	35 feet
Cul-de-sac Bulb	35 feet	35 feet	35 feet
Alley Access	50 feet	50 feet	50 feet
Flag Lot	40 feet	20 feet	20 feet

(Section 9.2470, see chart at front of Chapter 9 for legislative history from 2/26/01 through 6/1/02.)

9.2471 Special Standards for Table 9.2470.

- (1) Lot area, frontage, and width minimums may be adjusted pursuant to the provisions of EC 9.8030(1) of this land use code. Modifications may be approved through a site review or planned unit development. (For planned unit development procedures refer to EC 9.7300 General Overview of Type III Application Procedures and for approval criteria refer to EC 9.8320 Tentative Planned Unit Development Approval Criteria - General.)

(Section 9.2471, see chart at front of Chapter 9 for legislative history from 2/26/01 through 6/1/02.)

Natural Resource Zone

9.2500 Purpose of NR Natural Resource Zone. The NR natural resource zone is designed to implement the Metro Plan by providing areas that will be preserved for long-term protection of native vegetation, wetlands, waterways, wildlife habitat, rare plants and surface and ground water quality. In general, this zone is intended to protect outstanding natural resource areas identified in adopted plans. The NR zone is also intended to address state and federal laws and policies that regulate development within jurisdictional wetlands to protect water quality, including applicable provisions of the Federal Clean Water Act and the State of Oregon's wetland laws. The natural functions and values intended to be protected by this zone include all of the following:

- (1) Habitat for federally listed rare, threatened, or endangered plant and animal species.
- (2) Floodwater storage and conveyance.
- (3) Sediment and erosion control.
- (4) Natural pollution control.
- (5) Fish and wildlife habitat.
- (6) Aquifer recharge and water supply.
- (7) Native plant communities.

It is recognized that each natural resource area may not exhibit all of these functions and values.

(Section 9.2500, see chart at front of Chapter 9 for legislative history from 2/26/01 through 6/1/02.)

9.2510 Natural Resource Zone Siting Requirements. If consistent with the approval criteria in EC 9.8865 Zone Change Approval Criteria, the NR zone may be applied to wetlands, water features and other natural areas that are:

- (1) Not included on the city's acknowledged Goal 5 inventory and are:
 - (a) Recognized as a locally outstanding natural resource area in an adopted plan; or
 - (b) Less than 5 acres in size and providing habitat for a federally listed rare, threatened, or endangered plant or animal species; or
 - (c) Less than 5 acres in size and serving at least 2 of the natural functions and values listed in EC 9.2500 Purpose of NR Natural Resource Zone.
- (2) Included on the city's acknowledged Goal 5 inventory and are designated as "wetlands to be protected" or "wetlands to be enhanced for mitigation credit" on Map 3 of the adopted West Eugene Wetlands Plan and acquired by a public agency or non-profit conservation organization.

(Section 9.2510, see chart at front of Chapter 9 for legislative history from 2/26/01 through 6/1/02.)

9.2520 Natural Resource Zone Land Use and Permit Requirements. The provisions of the NR zone do not exempt a person or property from state or federal laws and regulations that protect water quality, wetlands, or other natural areas. In cases where the NR zone overlaps with the /WB wetland buffer overlay zone or the /WP waterside protection overlay zone, only the provisions of the NR zone are applied.

(1) **Uses Permitted.** The following uses are permitted in the NR zone:

- (a) Removal of refuse or any fill that is in violation of local, state or federal regulations. Removal of fill must be consistent with State of Oregon Removal-Fill regulations.
- (b) Removal of non-native or invasive plant species included on a list approved by the planning director and kept on file at the city.
- (c) Planting or replanting with native plants included on a list approved by the planning director and kept on file at the city.
- (d) Site management and maintenance practices that maintain or improve natural functions and values or protect public health and safety, consistent with adopted plans and policies. When deemed necessary by the planning director in order to protect human health or safety or to prevent a nuisance, this includes, but is not limited to, removal of vegetation by non-chemical means within a strip not to exceed 15 feet in width where a property zoned NR abuts private property in any other zone.
- (e) Wetland and natural area restoration and enhancement of natural functions and values, that involve displacement, excavation or relocation of 50 cubic yards or less of earth, and which carry out the purpose of this zone, and are consistent with adopted plans and policies.
- (f) Channel maintenance to maintain stormwater conveyance and flood control capacity as required by local policies, state and federal regulations, or intergovernmental agreements.
- (g) Maintenance activities designated as utility corridors identified in the West Eugene Wetlands Plan or other adopted plan.

(2) **Uses Subject to a Conditional Use Permit.** The following uses are permitted conditionally in the NR zone:

- (a) Nature interpretive centers and wetland research facilities, when such centers or facilities are specified in or consistent with adopted plans or policies.
- (b) Maintenance facilities for storage of equipment and materials used exclusively for maintenance of wetlands and other natural resource areas.

Conditional use permit approval shall be based upon conformance with EC 9.2530 Natural Resource Zone Development Standards (2) through (19), in addition to EC 9.8090 Conditional Use Permit Approval Criteria - General.

(3) **Uses Subject to Standards Review Approval.** The following uses are permitted within the NR zone subject to the standards review process beginning with EC 9.8460 Purpose of Standards Review:

- (a) Construction of trails, boardwalks, viewing platforms, interpretive information kiosks and trail signs. Subject to EC 9.2530 Natural Resource Zone Development Standards (9) through (13) and (15) through (16).

- (b) Restoration and enhancement of natural functions and values that involve displacement, excavation or relocation of more than 50 cubic yards of earth and carry out the objectives of this zone, including, but not limited to, realignment and reconfiguration of channels and pond banks. Subject to EC 9.2530 Natural Resource Zone Development Standards (2) through (9).
- (c) Construction of stormwater quality treatment facilities that use biofiltration methods, such as shallow grassy swales, constructed wetlands, and sedimentation ponds, and do not include adding impervious surfaces. Subject to EC 9.2530 Natural Resource Zone Development Standards (2) through (9). As used in this subsection:
 - 1. Grassy swales are shallow ditches lined with grass for the purpose of filtering sediments and other pollutants from stormwater runoff.
 - 2. Constructed wetlands are wetlands that are created where no wetland characteristics existed previously.
 - 3. In areas not included on the city's acknowledged Goal 5 inventory, structures for the control of water are not considered impervious surfaces for the purposes of this section.
- (d) Construction of access roads for maintenance of channels, wetlands and other natural resource areas. Subject to EC 9.2530 Natural Resource Zone Development Standards (2) through (6), (8), (9), and (14).
- (e) Bikeways and other paved pathways. Subject to EC 9.2530 Natural Resource Zone Development Standards (2), (5), (6), (8), (9), and (14) through (17).
- (4) **Uses and Practices Prohibited.** Uses and practices that are not specifically allowed under EC 9.2520 Natural Resource Zone Land Use and Permit Requirements subsections (1), (2), or (3) and that would adversely affect water quality or damage wildlife habitat, are prohibited within the NR zone, including, but not limited to, the following:
 - (a) Storage of chemical herbicides, pesticides or fertilizers or other hazardous or toxic materials.
 - (b) Depositing or dumping any material imported from off-site, except for soils or soil amendments used for replanting in accordance with provisions of the NR zone.
 - (c) Construction of new septic drainfields.
 - (d) Channelizing or straightening natural drainageways.
 - (e) Off-road operation of vehicles, except for those employed in site restoration or site maintenance practices during the dry season and bicycles when used on designated trails.
 - (f) Removal or destruction of rare, threatened or endangered plant species unless a recovery plan is submitted by the applicant and approved by the planning director, following review by the Oregon Department of Agriculture and the U.S. Fish and Wildlife Service.
 - (g) Filling, grading, excavating, deposition of soils imported from off-site, and application of chemical herbicides, pesticides and fertilizers are prohibited

unless they:

1. Are directly related to a use permitted in this zone,
2. Address an imminent threat to public health and safety, or
3. Result in enhancement of water quality, and enhancement or maintenance of stormwater conveyance capacity, flood control capacity, groundwater discharge and recharge capacity and wildlife habitat.

(Section 9.2520, see chart at front of Chapter 9 for legislative history from 2/26/01 through 6/1/02.)

9.2530 Natural Resource Zone Development Standards. In addition to applicable provisions contained elsewhere in this code, the development standards listed in this section shall apply to development in the NR zone, as specifically provided in EC 9.2520 Natural Resource Zone Land Use and Permit Requirements. In cases of conflict, the standards specifically applicable in the NR zone shall apply.

(1) Buffer Enhancements:

- (a) Plantings shall be conducted on reduced buffers in conformance with the vegetation removal and planting and replanting standards set forth below and the following:
 1. Reduced buffer areas shall be planted only with native trees, shrub and grass or other non-woody species appropriate to increase to the greatest extent practicable the capacity of the area to filter pollutants from stormwater that flows across the buffer area. Where existing native vegetation already serves this function, new plantings shall augment those already existing, unless the applicant can clearly demonstrate to the planning director or decision-maker that additional plantings will not improve the filtering capacity of the buffer area.
 2. Plantings shall consist of species native to the southern Willamette Valley from a native plant list approved by the city manager that are appropriate to the site given its topography, hydrology, soil, existing native vegetation and historic native vegetation.
 3. Plantings shall not adversely affect adjacent protected wetlands through invasion or other effects.
- (b) All refuse, toxic materials and any fill that detracts from the function of the buffer shall be removed.
- (c) Where practicable, finished grades shall encourage sheet flow of stormwater runoff across buffer areas to maximize filtering and infiltration of stormwater runoff within buffer areas.
- (d) On sites where the slope within the wetland buffer area exceeds 15 percent, measures (e.g., planting and contouring) shall be taken to slow the flow of stormwater runoff to the maximum extent practicable.
- (e) Non-native plants shall be removed to the maximum extent practicable and replaced with native species.

- (f) Buffer enhancement work shall be completed prior to or concurrent with other site development, unless appropriate native species are not available within that time frame.
- (2) **Vegetation Removal:**
 - (a) Vegetation removal is limited to removal of:
 - 1. Non-native and invasive plant species included on a list approved by the planning director and kept on file at the city;
 - 2. Dead or dying trees or shrubs that are an imminent danger to public health and safety as determined by the planning director or decision-maker. Removal shall only be authorized after all other reasonable alternatives have been examined and proven impractical, and the removal is the minimum necessary to meet the objectives of the proposed use;
 - 3. Dead or dried native plants or grasses only when they constitute an imminent fire hazard, as determined by the fire marshal;
 - 4. Native vegetation to facilitate or encourage the growth of other native species as called for in adopted plans or policies.
 - (b) For areas not included on the city's acknowledged Goal 5 inventory, removal of vegetation shall be the minimum necessary for the proposed use and shall avoid removal of native vegetation to the extent practicable. For areas included on the city's acknowledged Goal 5 inventory, removal of vegetation shall be the minimum area of native vegetation necessary for approved uses or conditional uses or uses allowed by an exception as specified in sections 9.4760 and 9.4850.
 - (c) Clearing of more than 0.1 contiguous acre of vegetation on slopes greater than 5 percent must be either:
 - 1. Conducted between April 15 and October 15 of the same year, or
 - 2. Preceded by approval of an erosion and sedimentation control plan by the planning director, which must be implemented throughout the clearing process.
 - (d) Clearing of vegetation that is not in preparation for development must be followed by replanting in accordance with the requirements of this section.
 - (e) Removal or destruction of rare, threatened or endangered plant species is restricted (see prohibited practices provisions of the NR zone, /WB Wetland Buffer overlay zone and /WP Waterside Protection overlay zone.)
 - (f) For areas not included on the city's acknowledged Goal 5 inventory, the provisions of EC 6.815 Obnoxious Vegetation - Definitions, Prohibitions, Abatement through EC 6.845 Obnoxious Vegetation - Enforcement and Discharge of Duties do not apply to the provisions of this section, with regard to the removal of vegetation and mowing.
- (3) **Planting and Replanting:**
 - (a) Replanting of areas cleared of existing vegetation must be completed within 90 days following the removal or clearing, unless otherwise approved by the planning director or decision-maker.

- (b) Planting and replanting with seed shall be timed so that germination occurs prior to November 15, unless the germination requirements of the seed require otherwise, in which case germination shall be accomplished at the earliest date practicable.
- (c) Planting and replanting shall be done with native species from a list approved by the planning director and kept on file at the city.
- (4) **Stormwater Drainage:**
 - (a) Runoff from impervious areas on the site that accommodate motorized vehicle traffic or machinery may only be discharged into areas with the /WB or /WP overlay zone, or protected wetlands or waterways, which includes those designated for protection in a locally adopted plan, if runoff is treated to improve water quality prior to discharge by removing pollutants washed from impervious surfaces. Treatment may include infiltration devices, grassy swales, treatment ponds, or other methods. The type of treatment and degree of water quality improvement provided shall be approved by the city manager or decision-maker.
 - (b) Runoff from impervious areas used for repair, cleaning, refueling or servicing of vehicles or machinery may only be discharged into areas with the /WB or /WP overlay zone, or protected wetlands or waterways, which includes those designated for protection in a locally adopted plan, if runoff is treated on site to remove oil, grease and other environmentally hazardous chemicals to the maximum extent practicable prior to discharge. The type of treatment and degree of water quality improvement shall be approved by the city manager or decision-maker.
 - (c) To the maximum extent practicable, new development shall utilize measures to limit post-construction runoff rate, timing and volume for 2, 5, and 10 year storm events to pre-development levels for discharges into areas with the /WB or /WP overlay zone, or protected wetlands or waterways, which includes those designated for protection in a locally adopted plan. These measures may include on-site detention or retention ponds, infiltration areas or other measures approved by the city manager or decision-maker.
 - (d) Porous paving treatments or other infiltration devices approved by the planning director or decision-maker shall be used where practicable. As used herein, the term "porous paving" refers to recognized systems utilizing paving blocks (e.g., "grasscrete"). For the purposes of this provision, gravel surfaces are not acceptable.
- (5) **Impervious Surfaces:**
 - (a) Impervious surfaces are prohibited unless they are part of a permitted use or approved conditional use.
 - (b) Impervious surfaces that are part of a permitted use or approved conditional use shall be no larger than the minimum necessary for the proposed use and shall be located as far from wetlands and water features as practicable.

(6) Construction Practices:

(a) Within the NR zone and areas with the /WB overlay zone, construction or other use of heavy machinery is prohibited or restricted as described in this subsection. Use of heavy machinery is prohibited:

1. Between February 20 and June 30 of the same year within 300 feet of any significant waterfowl nesting areas identified in adopted plans or policies or by the Oregon Department of Fish and Wildlife.
2. Between May 1 and August 30 of the same year within 300 feet of any significant shorebird and wading bird nesting areas identified in adopted plans or policies or by the Oregon Department of Fish and Wildlife.

For purposes of this subsection, heavy machinery is defined as motorized or mechanized machinery or equipment capable of deliberately or inadvertently damaging vegetation, compacting soil, moving earth or causing excessive noise or heavy vibrations through its use.

- (b) Stockpiles or storage of wood or building materials or machinery are prohibited within wetland boundaries, areas with the /WB and /WP overlay zones.
- (c) Petroleum products, chemicals, sediment, eroded soil or other deleterious materials used in the construction process shall not be allowed to enter the water or wetland during construction.
- (d) Use of heavy equipment or machinery shall be the minimum necessary for the use or activity and shall be restricted to those areas where its use is necessary.

(7) Landform Character. Grading and excavating conducted as part of restoration or enhancement projects, and bank and channel reconfiguration shall result in topography that resembles the natural undulations, meanders and slopes found in landscapes shaped only by natural processes. For purposes of this standard, straight lines and geometric or angular shapes are not acceptable. Channel and stream bank slopes shall not exceed 25 percent.

(8) Filling, Grading and Excavating. These activities shall occur between April 15 and October 15 of the same year, unless the planning director or decision-maker authorizes an exception based on dry weather conditions or overriding public need. Exceptions granted due to overriding public need shall require approval of an erosion and sedimentation control plan by the city manager prior to commencement of earth moving activities, and this plan must be implemented throughout the activity.

(9) Disposal Sites. Waste materials, brush and spoils from clean-up operations or excavation shall be placed outside wetland boundaries, areas with the /WB overlay zone and other natural areas designated for protection in an adopted plan or policy.

(10) Structure Color:

- (a) Within the NR zone and within areas with the /WB overlay zone, all finished structures shall be in natural earth tone colors, unless otherwise

required by local, state or federal law or regulation.

- (b) Within areas with the /WP overlay zone, all finished structures or building facades that face a class A or B stream or pond shall be in natural earth tone colors, unless otherwise required by local, state or federal law or regulation.
- (11) **Boardwalks, Viewing Platforms, Interpretive Information Kiosks, Trail and Interpretive Signs.** These structures shall be constructed in a manner that involves the least removal of native vegetation practicable. Signs shall be no more than 5 feet tall, and 16 square feet per face in surface area, except for signs intended to be read from moving automobiles, such as site entrance signs, which shall be no more than 8 feet tall and 32 square feet per face in surface area. Kiosks shall be no more than 8 feet tall and 16 square feet per face in surface area.
- (12) **Trails.** Trails shall be constructed of gravel, wood chips or soil, unless otherwise approved by the city manager or decision-maker. Trail construction shall involve the least removal of native vegetation practicable for the area and the minimum amount of fill or excavation practicable.
- (13) **Building Height.** Building height is limited to 30 feet or the height limit of the base zone, whichever is less. If there is no specified height limit in the base zone, building height is limited to 30 feet.
- (14) **Stream and Channel Crossings.** Bridges or other structures that cross water features shall be constructed so that water flow, vegetation growth and movement of aquatic animals and water dependent wildlife are impeded to the least extent practicable. To meet this standard, bridges and crossings shall include, but are not limited to, applicable items from the following list:
 - (a) Crossings shall utilize bridges or natural substrate culverts where possible.
 - (b) Culverts shall not substantially increase or decrease water depth or flow rate conditions.
 - (c) Bridges and culverts shall be constructed so that there is at least 3 feet of clearance between the ordinary high water mark and the underside of the bridge or culvert.
 - (d) The lower lip of any culvert shall meet the stream or channel bed at grade.
 - (e) Culverts shall be the minimum length practicable.
- (15) **Lighting.** Area lighting shall be aimed away from resource areas where possible, and otherwise must be aimed such that light shining on natural resource areas is minimized to the maximum extent practicable. Area lighting is outdoor lighting designed to illuminate an activity area, trail or bicycle path, and shall also comply with EC 9.4830.
- (16) **Public Access.** Access for the general public shall be consistent with adopted policies or plans that address public access on specific sites.
- (17) **Location of Structures.** To the maximum extent practicable, new buildings, roads and other new impervious surfaces associated with interpretive centers or wetland maintenance facilities shall be located outside boundaries of wetlands identified for protection in adopted plans and policies.

- (18) **Mitigation Site Buffers.** When low value wetland sites within the NR zone are restored or enhanced for mitigation credit, a 25 foot buffer shall be maintained around the perimeter of the mitigation area, but within the jurisdictional wetland boundary. All provisions for permitted uses, conditionally permitted uses, prohibited practices and applicable special standards that apply to /WB wetland buffer, as specified in EC 9.4800 through EC 9.4860 shall apply to mitigation site buffers.
- (19) **Site Layout.** High activity areas, including traffic lanes, loading docks, and group gathering areas shall be located as far away from wetlands, water features and other protected natural areas as is practicable.
- (20) **Noise.** For inventoried sites that received a Wildlife Habitat Rating of greater than 60 in the Metropolitan Natural Resources Inventory (Lev, 1990) and sites designated as high value wetlands in the wetland buffer provisions of this code, noise generated by uses within the NR zone and the wetland buffer overlay zone (as measured at the wetland boundary) and within the waterside protection overlay zone (as measured at the top of the high bank) shall not exceed the following standards:
- (a) Maximum sound emissions shall not exceed equivalent sound pressure levels in decibels, A-Weighted Scale, for any one hour as stipulated in subsection (b) of this section. Equivalent sound pressure level (Leq) is a measure of the sound level for any one hour. It is the energy average of all the various sounds emitted from the source during the hour. A-Weighted Scale is used to adjust sound measurements to simulate the sensitivity of the human ear.
 - (b) Maximum one-hour equivalent sound pressure levels:

A-Weighted (dBA)	
<u>Receiving Property Residential Broad Zone Category</u>	
<u>Time of Day</u>	<u>Level</u>
7 am - 10 pm	57
10 pm - 7 am	50

- (c) Noises of short duration. For noises of short duration or impulsive character, such as hammering, maximum one-hour sound pressure levels permitted beyond the property of origin shall be seven decibels less than those listed in subsection (b).
- (d) Noises of unusual periodic character. For noises of unusual periodic character, such as humming, screeching, and pure tones, the following median octave band sound pressure levels, as required by the Department of Environmental Quality, shall not be exceeded beyond the property of origin when the receiving property is in the NR zone:

Median Octave Band Sound Pressure Levels

Octave Band Center

<u>Frequency, Hz</u>	<u>7am-10pm</u>	<u>10pm-7am</u>
31.5	68	65
63	65	62
125	61	56
250	55	50
500	52	46
1,000	49	43
2,000	46	40
4,000	43	37
8,000	40	34

(e) Exemptions. Local noise standards set forth in this section do not apply to the following situations:

1. Emergency equipment operated on an irregular or unscheduled basis.
2. Warning devices operated continuously for no more than 5 minutes.
3. Railroad equipment when subject to federal or state regulations.
4. Bells, chimes, or carillons.
5. Non-electronically amplified sounds at sporting, amusement, and entertainment events.
6. Construction site sounds, except that they shall be confined to 7 a.m. through 7 p.m.
7. Lawn and plant care machinery fitted with correctly functioning sound suppression equipment and operated between 7 a.m. and 9 p.m.
8. Aircraft when subject to federal or state regulations.
9. Agricultural equipment operated between 7 a.m. and 7 p.m.

(f) Exceptions. Upon written application from the owner or operator of an industrial or commercial noise source, the city manager or the manager's designee may authorize or conditionally authorize exceptions to local noise emission standards in the following situations:

1. Infrequent noise.
2. Noise levels at or anywhere beyond the property lines of the property of origin when exceeded by an exempt noise, as listed in subsection (d) above, in the same location.
3. Noise levels on property owned or controlled by the person generating the noise.
4. If after applying reasonably available control technology, a use existing as of January 27, 1982, is unable to conform to the standards established by this section.

Exception applications shall be filed at the city's permit and information

center on a form prescribed by the city manager, and shall be accompanied by a fee as established by the city manager pursuant to EC 2.020 City Manager - Authority to Set Fees and Charges.

(Section 9.2530, see chart at front of Chapter 9 for legislative history from 2/26/01 through 6/1/02.)

9.2540 Natural Resource Zone Lot Standards. There are no minimum frontage or width requirements in the natural resource zone. There are no lot area requirements in the NR zone except when the zone is applied based on 9.2510(3).

(Section 9.2540, see chart at front of Chapter 9 for legislative history from 2/26/01 through 6/1/02.)

Park, Recreation, and Open Space Zone

9.2600 Purpose of PRO Park, Recreation, and Open Space Zone. The Park, Recreation, and Open Space Zone (PRO) is intended to accomplish all of the following:

- (1) Implement the Metro Plan, Eugene Parks and Recreation Plan, and other applicable plans by providing areas that will conserve and preserve a variety of parks, recreation areas, and open spaces to maintain livability of the metropolitan area.
- (2) Provide a balance of active and passive recreation opportunities to meet neighborhood, community, and metropolitan needs.
- (3) Efficiently implement plans and improvements to parks and open areas with appropriate reviews where compatibility issues may arise.
- (4) Facilitate preservation of scenic and natural values and ecosystem management.

(Section 9.2600, see chart at front of Chapter 9 for legislative history from 2/26/01 through 6/1/02.)

9.2610 Park, Recreation and Open Space Zone Siting Requirements. In addition to the approval criteria in EC 9.8865 Zone Change Approval Criteria, the following siting requirements apply:

- (1) Rezoning the subject site implements park, recreation, open space, or natural resource preservation objectives and policies; or
- (2) The subject site is privately owned, at least 2 acres in size and meets the purpose of this zone and the definition for non-publicly owned open space in EC 9.2620 PRO Zone Terms.
- (3) The PRO zone shall not be applied to an area on the city's acknowledged Goal 5 inventory unless it is determined that any change in the level of protection afforded the resource by the PRO zone is consistent with the acknowledged level of protection for the resource.

(Section 9.2610, see chart at front of Chapter 9 for legislative history from 2/26/01 through 6/1/02.)

9.2620 **PRO Zone Terms.** The determination of park classification shall be based on the Eugene Parks and Recreation Plan or by the city manager. As used with reference to this zone, unless the context requires otherwise, the following words and phrases mean:

Neighborhood Park. The basic unit of the park system, serving as the recreational and social focus of the neighborhood. Neighborhood parks primarily serve residents living within a ½ mile radius and off-street parking is not generally provided. Neighborhood parks are sometimes located adjacent to an elementary school.

Community Park. Larger in size than a neighborhood park and meeting recreational needs of more than one neighborhood, a community park serves as a destination that usually includes on site parking. Community parks are generally developed for active and passive recreation uses and may include recreation centers, swimming pools, sports fields, and other community-based facilities. Community parks are sometimes located adjacent to schools where site amenities can be shared.

Metropolitan Park. A park that meets the recreational needs of the city as a whole, often including a variety of active and passive recreation opportunities as well as the preservation of natural landscapes, unique natural resources, special botanical display, and open space. Although metropolitan parks are usually large, they also can include small areas that are part of a larger metropolitan park network, as found along the Willamette River and the south hills ridge line parks. Metropolitan parks usually include on site parking.

Non-Publicly Owned Open Space. Open or natural areas above 2 acres in size, including golf courses, cemeteries, drainage corridors, and private recreation space that are not owned by the public and are designated as open space in the Metro Plan, a refinement plan, or a PUD.

(Section 9.2620, see chart at front of Chapter 9 for legislative history from 2/26/01 through 6/1/02.)

9.2630 **PRO Zone Land Use and Permit Requirements.** The following Table 9.2630 Park, Recreation, and Open Space Zone Uses and Permit Requirements identifies those uses in the PRO zone that are:

- (P) Permitted if use complies with special setbacks shown in Table 9.2640. If the use does not meet the special setbacks in Table 9.2640, the use may be approved through the conditional use permit process. Shall require 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 the Special Development Standards for Certain Uses beginning at EC 9.5000 and zone verification.
- (#) The numbers in () in the table are uses that have special use limitations that are described in EC 9.2631.

Entertainment and recreational uses allowed in other zones are subject to the standards set out for those zones. Any examples reflected in Table 9.2630 are for informational purposes only and are not exclusive. Table 9.2630 does not indicate

uses subject to Standards Review. Applicability of Standards Review procedures is set out at EC 9.8465.

Table 9.2630 Park, Recreation, and Open Space Zone Uses and Permit Requirements				
	Neighborhood Park	Community Park	Metropolitan Park	Non-Publicly owned Open Space
Accessory Uses				
Accessory Uses. Examples include maintenance activities and storage.	P	P	P	P
Agricultural, Resource Production and Extraction				
Community or Allotment Garden	P	P	P	P
Education, Cultural, Social and Fraternal				
Ballet, Dance, Martial Arts, and Gymnastic School/Academy/Studio		C(3)	C(3)	
Community and Neighborhood Center	C(3)	P	P	SR(2)
Community Theater, includes building		C(3)	C(3)	C(3)
Concession Stand, permanent structure	C(3)	P	P	C(3)
Golf Course, including driving range		SR(2)	SR(2)	SR(2)
Trail (paved and non paved)	P	P	P	P
Kiosk, Gazebo, Pergola, Arbor	P	P	P	P
Museum			SR(2)	
Library			SR(2)	
Entertainment and Recreation				
Amphitheater, Conservatory	C(3)	SR(2)	SR(2)	C(3)
Amplified Sound System (permanently installed)	C(3)	C(3)	C(3)	C(3)
Amusement Center (Arcade, pool tables, etc.)	C(3)	C(3)	C(3)	C(3)
Arena and Multiple Courts, indoors		C(3)	C(3)	C(3)
Arboretum, Outdoors	P	P	P	P
Arboretum, Indoors	C(3)	SR(2)	SR(2)	P
Athletic Area, outdoors, lighted (does not include skateboard facility)	C(3)	SR(2)	C(3)	C(3)
Athletic Areas, outdoors, unlighted	P	P	P	P
Boat Landing	C(3)	SR(2)	C(3)	
Natural Area or Environmental Restoration	P	P	P	P
Ornamental Fountain, Art Work	P	P	P	P
Park Furnishings: Examples include: play equipment, picnic tables, benches, bicycle racks, and interpretive signage.	P	P	P	P
Picnic Shelter (for more than 40 people)	C(3)	P	P	C(3)
Restroom	SR(2)	P	P	SR(2)
Swimming Pool--indoor		SR(2)	SR(2)	C(3)
Swimming Pool--outdoor	C(3)	SR(2)	C(3)	C(3)
Wetland Mitigation Area	P	P	P	P

Table 9.2630 Park, Recreation, and Open Space Zone Uses and Permit Requirements				
	Neighborhood Park	Community Park	Metropolitan Park	Non-Publicly owned Open Space
Lodging				
Camping, only when directly related to a special event		P (1)	P (1)	P (1)
Motor Vehicle Related Uses				
Parking Area shall be directly related to a primary use on the same development site		P	P	P
Transit, Neighborhood Improvement	P	P	P	P
Transit, Park and Ride, Minor	P	P	P	P
Transit Station, Minor	P	P	P	P
Residential Category				
One-Family Dwelling (1 per park)		P	P	
Utilities and Communication				
Broadcasting Studio, Commercial and Public Education		P	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	P	
Telecommunication Facility(See EC 9.5750)	S	S	S	S
Other Commercial Services				
Temporary Activity(See EC 9.5800)	S	S	S	S

(Section 9.2630, see chart at front of Chapter 9 for legislative history from 2/26/01 through 6/1/02.)

9.2631 Special Use Limitations for Table 9.2630.

- (1) **Camping.** Camping is permitted in the PRO zone for a maximum of 9 continuous days and when directly tied to a special event being held in or very near the camping site. A special event permit from the city is required to ensure that the camping is managed in a safe manner with minimal impacts on surrounding property.
- (2) **Site Review.** Uses shall comply with the special setbacks in Table 9.2640. If the use does not meet the special setbacks in Table 9.2640, the use may be approved through the conditional use permit process.
- (3) **Conditional Use Permit Process.** Uses shall comply with applicable setbacks or be established with appropriate mitigation to ensure compatibility with surrounding properties.

(Section 9.2631, see chart at front of Chapter 9 for legislative history from 2/26/01 through 6/1/02.)

9.2640 PRO Zone Development Standards.

- (1) **Application of Standards.** In addition to applicable provisions contained elsewhere in this code, the development standards listed in this section shall apply to all development in the PRO zone. In cases of conflict, the standards specifically applicable in the PRO zone shall apply.
- (2) **Maximum Building Height.** The maximum building height is 30 feet for buildings within 80 feet of the property line.
- (3) **Minimum Front and Interior Yard Setbacks.** The setbacks in Table 9.2640 are applicable only from abutting residentially zoned parcels, including those immediately across from a public right-of-way or utility easement. For other abutting zones, setbacks shall be governed by the Uniform Building Code and applicable sections of this code. If an abutting residentially zoned property is developed adjacent to the park, (or has an approved plan to develop) with an improvement type listed in Table 9.2640 PRO Zone Special Setbacks, the setback standard for a park improvement shall be waived. The standard of this subsection is subject to adjustment pursuant to the provisions of EC 9.8030(2) Setback Standards Adjustment of this land use code.
- (4) **PRO Zone Special Setbacks.** The PRO zone special setbacks are reflected in the following Table 9.2640:

Table 9.2640 PRO Zone Special Setbacks		
Improvement Type	From Street Right-of-Way	From Abutting Property Zoned Residential, including distances across <u>local</u> streets
Accessory Uses		
Maintenance Buildings and Outdoor Storage/Operations, accessory	15 feet	50 feet (6 foot high site obscuring fence, wall or landscape buffer required if facility is within 150 feet of unfenced property.)
Agricultural, Resource Production and Extraction		
Community and Allotment Gardens	0 feet	10 feet
-- Composting Areas	20 feet	100 feet
Educational, Cultural, Social and Fraternal		
Community and Neighborhood Centers	15 feet	30 feet (Note standards for picnic facilities and social gathering below, which may apply to community centers.)
Concession Stands, permanent structure	20 feet	100 feet
Kiosks, Gazebos, Pergolas, Arbors	15 feet	30 feet
Entertainment and Recreation		
Amphitheater, Conservatory	250 feet	500 feet
Arboretum, Outdoors	250 feet	500 feet
Arboretum, Indoors	250 feet	500 feet
Athletic Areas, outdoors, lighted	50 feet	200 feet
-- Basketball Courts and Horseshoes	30 feet	200 feet
-- BMX Bike Track Facility	50 feet	200 feet

Table 9.2640 PRO Zone Special Setbacks		
Improvement Type	From Street Right-of-Way	From Abutting Property Zoned Residential, including distances across <u>local</u> streets
-- Small Court Games, <u>Examples</u> : shuffleboard and bocci (excluding horseshoes).	15 feet	50 feet
-- Skateboard Facility	25 feet	200 feet
-- Tennis Courts	20 feet	100 feet
-- Volleyball Court	30 feet, with ball stopping fence if within 60 feet of R/W	200 feet
Athletic Areas, outdoors , unlighted	50 feet	80 feet (A 4 foot (min.) high ball stopping fence is required within 125 feet of inbounds play along adjacent property.)
-- Basketball Courts and Horseshoes	30 feet	60 feet
-- BMX Bike Track Facility	15 feet	65 feet
-- Skateboard Facility	15 feet	200 feet
-- Small Court Games, <u>Examples</u> : shuffleboard and bocci (excluding horseshoes).	15 feet	50 feet
-- Soccer Court	50 feet	100 feet behind goal, 50 feet along sides of field
-- Tennis Court	20 feet	50 feet
-- Volleyball Court	30 feet, with ball stopping fence if within 60 feet of R/W	100 feet
Boat Landing	100 feet	100 feet
Natural Areas or Environmental Restoration	0 feet	0 feet
Ornamental Fountain and Art Work	0 feet	30 feet
Picnic Shelter (for groups over 40 people)	30 feet	100 feet
Park Furnishings: <u>Examples</u> include: picnic tables, benches, bicycle racks, and interpretive signage.	10 feet	30 feet
-- Playground Apparatus	20 feet	60 feet
Restroom	15 feet	50 feet
Swimming Pool--indoor	15 feet	30 feet (Note standards for picnic facilities and social gathering.)
Swimming Pool--outdoor	15 feet	250 feet (From pool enclosure.)
Trails, (paved and non-paved)	0 feet	20 feet
-- Sidewalks, bike paths	0 feet	15 feet (Except in narrow areas that are designed as pedestrian corridors.)
Wetland Mitigation Areas	0 feet	0 feet

Table 9.2640 PRO Zone Special Setbacks		
Improvement Type	From Street Right-of-Way	From Abutting Property Zoned Residential, including distances across <u>local</u> streets
Motor Vehicle Related Uses		
Parking Areas shall be directly related to a primary use on the same development site		
-- Complies with EC 9.6420(3)(c) Parking Area Landscaping Along Street and Driveway Entrances	7 feet	N/A
-- Complies with EC 9.6420(3)(d) Perimeter Parking Area Landscaping	N/A	40 feet

(Section 9.2640, see chart at front of Chapter 9 for legislative history from 2/26/01 through 6/1/02.)

9.2650 PRO Zone Lot Standards. For publicly-owned land zoned PRO, there are no minimum lot area or dimension requirements. For non-publicly owned open space, the minimum width of such areas shall be 100 feet unless the area provides for a trail system or preservation of a natural drainage way. Widths less than 100 feet are generally not permitted and are considered a break in continuity of the open space area. The minimum lot area for non-publicly owned open space is 87,120 square feet (2 acres).

(Section 9.2650, see chart at front of Chapter 9 for legislative history from 2/26/01 through 6/1/02.)

Public Land Zone

9.2680 Purpose of Public Land Zone. The public land zone is intended for public and semi-public uses that are designed to implement the Metro Plan by providing areas for government services and education. Government services include the full spectrum of activities conducted by public agencies, including parks and open space. As used in EC 9.2680 through 9.2687, "public agency" includes public/private partnerships that conduct the activities authorized in those sections.

(Section 9.2680, see chart at front of Chapter 9 for legislative history from 2/26/01 through 6/1/02.)

9.2681 Public Land Zone Applicability and Siting Requirements.

- (1) **Applicability.** The provisions of 9.2680 through 9.2687 are applicable only to areas zoned PL which are not included on the city's acknowledged Goal 5 inventory. For areas zoned PL which are included on the city's acknowledged Goal 5 inventory, sections 9.400 through 9.404 of the city's land use code in effect on July 31, 2001, including references therein, shall apply.
- (2) **Siting Requirements.** In addition to the approval criteria in EC 9.8865 Zone

Change Approval Criteria, the subject site must be land owned solely by a public agency or a non-profit organization established primarily to provide public uses listed in EC 9.2682(1). When public land is sold for private development, the property shall be rezoned according to the procedures for zone changes beginning with and following section 9.8850 Purpose of Zone Changes.

(Section 9.2681, see chart at front of Chapter 9 for legislative history from 2/26/01 through 6/1/02.)

9.2682 Public Land Zone Land Use and Permit Requirements.

- (1) **Permitted Public or Semi-Public Uses.** The following uses are permitted in the PL public land zone:
- (a) Accessory Uses, excluding those uses subject to the provisions of EC 9.2683 Special Use Limitations. Examples include caretaker dwellings; service stations for government vehicles; building maintenance services for government facilities; storage, utility and printing for government services; and small scale commercial services to primarily serve users of the public facility.
 - (b) Public Uses, operated by the public agency that owns the development site, except for the intensification of uses that require a site review or conditional use permit according to EC 9.2683 Special Use Limitations. Examples include government offices, libraries, park and recreation facilities, neighborhood and community centers, post offices, fire stations, pump stations, electrical substations, school district offices, schools, reservoirs, and specialized housing. (Refer to EC 9.2683 Special Use Limitations.)
 - (c) The following uses not operated by the public agency that owns the property when the owner declares that the property is not currently needed for public uses:
 - 1. Athletic Field, outdoor.
 - 2. Ballet, Dance, Martial Arts, and Gymnastic Schools/Academies/Studios.
 - 3. Community and Allotment Gardens.
 - 4. Community and Neighborhood Centers.
 - 5. Day Care Facilities.
 - 6. Meal Services, non-profit.
 - 7. Parks and Playgrounds.
 - 8. Schools, Elementary through Middle School.
 - 9. Combinations of the above uses.
- (2) **Uses Requiring a Conditional Use Permit.** The following uses not operated by the public agency that owns the property are permitted conditionally when all or part of the property is declared by the owner to not be needed:
- (a) Administrative, General, and Professional Offices.
 - (b) Artist Galleries/Studios.
 - (c) Assisted Care.
 - (d) Broadcasting Studios, Commercial and Public Education.

- (e) Retail Sales and Personal Services that are permitted in C-1 Neighborhood Commercial. Individual businesses are limited to 5,000 square feet, and there shall be a demonstrated demand within one-half mile for the retail or personal service, and a determination that it is not likely the use can otherwise locate within that service area.
- (f) Campus Living Organizations, including Fraternities and Sororities.
- (g) Churches, Synagogues, and Temples, including associated residential structures for religious personnel.
- (h) Horticultural Uses, including plant nurseries.
- (i) Hospitals, Clinics, or other Medical Health Facilities (including mental health) 10,000 square feet or less of floor area.
- (j) Information Technology Services, including:
 - 1. Computer Networking.
 - 2. E-commerce (excludes on-site shipping via truck).
 - 3. Healthcare Informatics.
 - 4. Internet and Web Site Services.
 - 5. Software Development.
- (k) Manufacturing, Assembly, and Related Storage of the following within completely enclosed buildings:
 - 1. Electronic and Communication Components, Systems, Equipment, and Supplies, includes computers and semiconductors.
 - 2. Precision Testing, Medical, and Optical Goods.
- (l) Parking Areas and Structured Parking.
- (m) Recycling, Small Collection Facility (see EC 9.5650).
- (n) Schools, Business or Specialized Educational Training (excluding driving instruction).
- (o) Schools, High School.
- (p) Scientific and Educational Research Centers, provided there shall be no radioactive materials, toxic, or noxious matter associated with the use or process unless it is entirely surrounded by industrial zoning.
- (q) Storage Facilities, Household/Consumer Goods, enclosed.
- (r) Universities and Colleges.
- (s) University and College Dormitories.
- (t) Combinations of the above listed uses, with or without uses listed in EC 9.2682(1).

All uses are subject to the regulations and procedures for conditional use permits in EC 9.8075 Purpose of Conditional Use Permits through EC 9.8110 Conditional Use Permit, Modification Approval Criteria. The hearings official may approve a conditional use on surplus public property for up to 10 years, and for additional 10 year periods if the responsible public agency continues to declare the property is not needed.

(Section 9.2682, see chart at front of Chapter 9 for legislative history from 2/26/01 through 6/1/02; and amended by Ordinance 20269, enacted November 25, 2002, effective December 25, 2002.)

9.2683 Special Use Limitations.

- (1) **Camping.** Camping is permitted in the PL public land zone for a maximum of 9 continuous days and when directly tied to a special event being held on or very near the camping site, provided a special event permit approving the camping has been issued by the city to ensure that camping is managed in a safe manner with minimal impact on surrounding properties.
- (2) **Permitted Uses Subject to Site Review.** When a proposed public use is to be located within 300 feet of land in the broad zone category of residential, and such use will generate the need for a Traffic Impact Analysis according to EC 9.8670 Applicability, such use shall be subject to an approved site review application according to the Type II procedures.
- (3) **Permitted Uses Subject to Conditional Use Permit.** When one of the following public use is proposed to be located within 300 feet of land in the broad zone category of Residential, it shall be subject to a conditional use permit according to the Type III procedures:
 - (a) Mineral Resources Mining.
 - (b) Entertainment and Recreation Uses required to obtain a Conditional Use Permit in community parks according to Table 9.2630 Park, Recreation, and Open Space Zone Uses and Permit Requirements.
 - (c) Homeless Shelters.
 - (d) Recycling- large collection facilities.
 - (e) Recycling- scrap and dismantling yards.
 - (f) Blood Banks.
 - (g) Correctional Facilities.
 - (h) Plasma Centers.
 - (i) Structured Parking.
 - (j) Cemeteries, includes crematoria, columbaria, and mausoleums.
 - (k) Civic, Social and Fraternal Associations.
 - (l) Outdoor Storage or Stockpiling of Materials.
 - (m) Heliports and Helistops.
 - (n) Veterinarian Services (includes pound).
 - (o) Race Tracks, including drag strips and go-cart tracks.
 - (p) Broadcasting Studios, including commercial and public education.
 - (q) Sewage Treatment Plants.
- (4) The physical area of the development site to be evaluated during the site review or conditional use permit process, when required according to the above subsections, shall be based on the portion of the development site specifically occupied by the proposed use and the surrounding 100 feet.

(Section 9.2683, see chart at front of Chapter 9 for legislative history from 2/26/01 through 6/1/02.)

9.2684 Public Land Zone Development Standards.

- (1) **Application of Standards.** In addition to applicable provisions contained elsewhere in this code, the development standards listed in Table 9.2684 and subsections (2) and (3) of this section shall apply to all development in the PL public land zone. In cases of conflict, the standards specifically applicable in the PL zone shall apply.
- (2) For uses permitted under EC 9.2682(1)(c), the following additional standards apply:
 - (a) Traffic and parking impacts and the capacity of adjacent streets shall be considered in the design and location of internal circulation and parking areas, including entrances and exits.
 - (b) If possible, school playgrounds shall be retained for public recreational use.
 - (c) The process used by the public agency that owns the property to determine whether a particular use shall be permitted on property not currently needed shall assure that neighborhood residents and property owners in the area have the opportunity to review and comment on the new proposed use.
 - (d) At least once every 10 years, the public agency that owns the property shall review its current needs. If the property is needed, it shall be returned to public use.
- (3) For uses permitted under EC 9.2682(2), the following standards apply:
 - (a) If possible, school playgrounds shall be retained for public use.

Table 9.2684 Public Land Zone Development Standards (See 9.2685 Special Development Standards for Table 9.2684.)	
	PL
Maximum Building Height (1)	
Main Building	None
Accessory	None
Minimum Front Yard Setback (2)	10 feet
Minimum Interior Yard Setbacks (2)	10 feet
Minimum Landscape Area (3)	None

(Section 9.2684, see chart at front of Chapter 9 for legislative history from 2/26/01 through 6/1/02.)

9.2685 Special Development Standards for Table 9.2684.

- (1) The building height is limited to the height allowed in an abutting residential zone when located within 50 feet of the boundary of the residential zone.
- (2) Front and interior yard minimum setbacks may be adjusted pursuant to the provisions of EC 9.8030(2) Setback Standards Adjustment.

(3) There is no minimum required landscape area except as required to meet landscape standards for parking lots in EC 9.6420 Parking Area Standards. (Section 9.2685, see chart at front of Chapter 9 for legislative history from 2/26/01 through 6/1/02.)

9.2686 Public Land Zone Lot Standards. The following Table 9.2686 sets forth lot standards in the PL public land zone. The numbers in () indicate special development standards contained in EC 9.2687.

Table 9.2686 Public Land Zone Lot Standards (See 9.2687 Special Development Standards for Table 9.2686.)	
	PL
Area Minimum (1)	
All Lots	6,000 square feet
Frontage Minimum (1)	
Interior Lot	50 feet
Corner Lot	50 feet
Curved Lot	35 feet
Cul-de-sac Bulb	35 feet
Flag Lot (2)	
1 Lot	15 feet
2 to 4 Lots	25 feet
Average Width Minimum (1)	
Interior Lot	50 feet
Corner Lot	50 feet
Curved Lot	35 feet
Cul-de-sac Bulb	35 feet
Flag Lot (2)	40 feet

(Section 9.2686, see chart at front of Chapter 9 for legislative history from 2/26/01 through 6/1/02.)

9.2687 Special Standards for Table 9.2686.

- (1) Lot area, frontage, and width minimums may be adjusted pursuant to the provisions of EC 9.9030(1) of this land use code. Modifications may be approved through a planned unit development. (For planned unit development procedures refer to EC 9.7300 General Overview of Type III Application Procedures and for approval criteria refer to EC 9.8320 Tentative Planned Unit Development Approval Criteria - General.)
 - (2) Minimum lot area includes both the pole portion and flag portion of the lot.
- (Section 9.2687, see chart at front of Chapter 9 for legislative history from 2/26/01 through 6/1/02.)

Residential Zones

9.2700 Purpose of R-1 Low-Density Residential Zone. The purpose of the R-1 Low-Density Residential zone is to implement the Metro Plan by providing areas for low-density residential use. The R-1 zone is designed for one-family dwellings with some allowance for other types of dwellings, and is also intended to provide a limited range of non-residential uses that can enhance the quality of low-density residential areas.

(Section 9.2700, see chart at front of Chapter 9 for legislative history from 2/26/01 through 6/1/02.)

9.2705 Purpose of R-1.5 Rowhouse Zone. The purpose of the R-1.5 Rowhouse zone is to implement the Metro Plan by providing areas for attached rowhouse dwellings.

(Section 9.2705, see chart at front of Chapter 9 for legislative history from 2/26/01 through 6/1/02.)

9.2710 Purpose of R-2 Medium-Density Residential Zone. The purpose of the R-2 Medium-Density Residential zone is to implement the Metro Plan by providing areas for medium-density residential use and encourage a variety of dwelling types. The R-2 zone is also intended to provide a limited range of non-residential uses to help provide services for residents and enhance the quality of the medium-density residential area.

(Section 9.2710, see chart at front of Chapter 9 for legislative history from 2/26/01 through 6/1/02.)

9.2720 Purpose of R-3 Limited High-Density Residential Zone. The purpose of the R-3 Limited High-Density Residential zone is to implement the Metro Plan by providing areas for limited high-density residential use that encourage attached one-family dwelling units and multiple-family dwelling units. The R-3 zone is also intended to provide a limited range of non-residential uses to help provide services for residents and enhance the quality of the limited high-density residential area.

(Section 9.2720, see chart at front of Chapter 9 for legislative history from 2/26/01 through 6/1/02.)

9.2730 Purpose of R-4 High-Density Residential Zone. The R-4 High-Density Residential zone is designed to implement the Metro Plan by providing areas for high-density residential use and is intended to provide an opportunity for a dense living environment. The R-4 zone must ensure that public facilities and services will be provided in a timely manner to adequately serve the projected demand. The R-4 zone is also intended to provide a limited range of non-residential uses to help provide services for residents and enhance the quality of the high-density residential area.

(Section 9.2730, see chart at front of Chapter 9 for legislative history from 2/26/01 through 6/1/02.)

9.2735 Residential Zone Siting Requirements. In addition to the approval criteria of EC 9.8865 Zone Change Approval Criteria, a property proposed for the R-1.5 zone shall not exceed the area needed to accommodate up to 8 rowhouse lots and shall be located at least 500 feet, as measured along existing street public right-of-way, from any other property zoned R-1.5.

(Section 9.2735, see chart at front of Chapter 9 for legislative history from 2/26/01 through 6/1/02.)

9.2740 Residential Zone Land Use and Permit Requirements. The following Table 9.2740 Residential Zone Land Use and Permit Requirements identifies those uses in the residential zones that are:

- (P) Permitted, subject to zone verification.
- (SR) Permitted, subject to an approved site review plan.
- (C) Subject to an approved conditional use permit or an approved final planned unit development.
- (PUD) Permitted, subject to 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 that are described in EC 9.2741 Special Use Limitations for Table 9.2740.

The examples listed in Table 9.2740 are for informational purposes and are not exclusive. Table 9.2740 does not indicate uses subject to Standards Review. Applicability of Standards Review procedures is set out at EC 9.8465.

Table 9.2740 Residential Zone Land Uses and Permit Requirements					
	R-1	R-1.5	R-2	R-3	R-4
Accessory Uses					
Accessory Uses. Examples include a garage, storage shed, and services primarily for use by residents on the site, such as a recreation room and laundry facility. Parking areas and garages constructed and used for a principle use on the development site, such as an apartment, are allowed as an accessory use.	P	P	P	P	P
Agricultural, Resource Production and Extraction					
Community and Allotment Garden	P	P	P	P	P
Display and Sale of Agricultural Products Grown on the Site	P				
Farm Animals, including pastureland, excluding a slaughter house (See EC 9.5250)	S		S	S	S
Horticultural Use. Examples include field crops, orchards, berries, and nursery or flower stock.	P				

Table 9.2740 Residential Zone Land Uses and Permit Requirements					
	R-1	R-1.5	R-2	R-3	R-4
Education, Cultural, Religious, Social and Fraternal					
Church, Synagogue, and Temple, including associated residential structures for religious personnel. (All religious uses shall meet minimum and maximum density requirements in accordance with Table 9.2750 Residential Zone Development Standards unless specifically exempted elsewhere in this code or granted a modification through an approved conditional use permit.)	C		C	C	C
Club and Lodge of State or National Organization (These uses shall meet minimum and maximum density requirements in accordance with Table 9.2750 Residential Zone Development Standards unless specifically exempted elsewhere in this code or granted a modification through an approved conditional use permit.)					C
Community and Neighborhood Center	C		C	C	P
School, Elementary through High School	C		C	SR	SR
University or College	C		C	SR	SR
Entertainment and Recreation					
Athletic Facility and Sports Club	C		C	C	C
Athletic Field, Outdoor	C		C	C	C
Equestrian Academy and Stable (See also Table 9.1240)	PUD				
Equestrian Trail (See also Table 9.1240)	PUD				
Golf Course, with or without country club (See also Table 9.1240)	PUD				
Park and Playground (Refer to Park, Recreation, and Open Space zone for examples of activities within this use.) See EC 9.2640	P		P	P	P
Theater, Live Entertainment (See also Table 9.1240)	C				
Government					
Government Services, not specifically listed in this or any other uses and permit requirements table. <u>An example</u> could include: a fire station.	P		P	P	P
Lodging					
Bed and Breakfast Facility (See EC 9.5100)	C		C	S	S
Manufacturing					
Recycling, small collection facility (See EC 9.5650)	S		S	S	S
Medical, Health and Correctional Services					
Correctional Facility, excluding Residential Treatment Center			C	C	C
Hospital, Clinic, or other Medical Health Facility (including mental health). (These uses shall meet minimum and maximum density requirements in accordance with Table 9.2750 Residential Zone Development Standards unless specifically exempted elsewhere in this code or granted a modification through an approved conditional use permit.)				C (1)	C (1)
Nursing Home (See also Table 9.1240)				C	C

Table 9.2740 Residential Zone Land Uses and Permit Requirements					
	R-1	R-1.5	R-2	R-3	R-4
Residential Treatment Center	C		C	C	C
Motor Vehicle Related Uses					
Transit, Neighborhood Improvement	P	P	P	P	P
Transit Park and Ride, Major or Minor, Only when Shared Parking Arrangement with Other Permitted Use	P			P	P
Transit Park and Ride, Major or Minor					C
Transit Station, Major				C	C
Transit Station, Minor			SR	P	P
Residential					
Dwellings. (All dwellings shall meet minimum and maximum density requirements in accordance with Table 9.2750 Residential Zone Development Standards unless specifically exempted elsewhere in this land use code. All dwelling types are permitted if approved through the Planned Unit Development process.)					
One-Family Dwelling (1 Per Lot in R-1)	P		P	P	P
Secondary Dwelling (Either Attached or Detached from Primary One-Family Dwelling on Same Lot)	P (2)				
Rowhouse (One-Family on Own Lot Attached to Adjacent Residence on Separate Lot with Garage or Carport Access to the Rear of the Lot)	P	P (3)	P	P	P
Duplex (Two-Family Attached on Same Lot)	P (4)		P	P	P
Tri-plex (Three-Family Attached on Same Lot) See EC 9.5500	S (5)		S	S	S
Four-plex (Four-Family Attached on Same Lot) See EC 9.5500	S (6)		S	S	S
Multiple-Family (3 or More Dwellings on Same Lot) See EC 9.5500	PUD		S	S	S
Manufactured Home Park. Shall comply with EC 9.5400 or site review.	S or SR		S or SR		
Controlled Income and Rent Housing where density is above that normally permitted in the zoning yet not to exceed 150%. (Shall comply with multiple-family standards in EC 9.5500 or be approved as a PUD.)	S or PUD see Map 9.2740		S or PUD see Map 9.2740	S or PUD see Map 9.2740	
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)(All Assisted Care uses shall meet minimum and maximum density requirements in accordance with Table 9.2750 Residential Zone Development Standards unless specifically exempted elsewhere in this code.)	P		P	P	P
Assisted Care (6 or more people living in facility) (All Assisted Care uses shall meet minimum and maximum density requirements in accordance with Table 9.2750 Residential Zone Development Standards unless specifically exempted elsewhere in this code or granted a modification through an approved conditional use permit.)	C		C	C	C

Table 9.2740 Residential Zone Land Uses and Permit Requirements					
	R-1	R-1.5	R-2	R-3	R-4
Day Care (3 to 12 people served) (See EC 9.5200)	S		S	S	S
Day Care (13 or more people served)	C		C	C	C
Rooms for Rent Situations					
Boarding and Rooming House				C	P
Campus Living Organization, including Fraternities and Sororities				C	P
Single Room Occupancy (SRO) (All SRO uses shall meet minimum and maximum density requirements in accordance with Table 9.2750 Residential Zone Development Standards unless specifically exempted elsewhere in this code or granted a modification through an approved conditional use permit.)			C	P	P
University and College Dormitory				P	P
Utilities and Communication					
Amateur Radio Antenna Structure (See EC 9.5050)	S		S	S	S
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
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
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
Telecommunication Tower or Facility (See EC 9.5750)	S		S	S	S
Water Reservoir, elevated above ground level	SR		SR	SR	SR
Other Commercial Services					
C-1 Neighborhood Commercial Zone Permitted Uses - Uses listed as P (Permitted) or SR (subject to site review) in C-1 and which are not listed elsewhere in this Table 9.2740	PUD (7)		PUD (7) or C (8)	PUD (7) or C (8)	PUD (7) or C (8)
Cemetery, includes crematoria, columbaria, and mausoleums	C				
Home Occupation (See EC 9.5350)	S	S	S	S	S
Model Home Sales Office (See EC 9.5450)	S		S	S	S
Temporary Activity (See EC 9.5800)	S	S	S	S	S
Wildlife Care Center (See EC 9.5850)	S				

(Section 9.2740, 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.)

9.2741 Special Use Limitations for Table 9.2740.

- (1) **Hospitals, Clinics or Other Medical Facilities.** In the R-3 and R-4 zones, these uses are subject to the following special regulations:
- (a) Hospitals, clinics, or other medical facilities are prohibited in the residentially zoned area beginning on East 13th Avenue and Willamette Street, then south on Willamette Street to East 19th Avenue, then east on East 19th Avenue to Patterson Street, then north on Patterson Street to East 18th Avenue, then east on East 18th Avenue to Hilyard Street, then north on Hilyard Street to East 13th Avenue, then west on East 13th Avenue to Willamette Street. (See West University Plan.)
 - (b) Hospitals, clinics, or other medical facilities in existence on April 14, 1982 within the residentially zoned area beginning at East 13th Avenue and Hilyard Street, then south on Hilyard Street to East 18th Avenue, then east on East 18th Avenue to Kincaid Street, then north on Kincaid Street to East 13th Avenue, then west on East 13th Avenue to Hilyard Street shall be allowed to remain subject to an existing approved conditional use permit. Expansion of any existing facility within this area is limited to the area under development control by the existing facility as of December 1, 1981. (See West University Plan.)
 - (c) Hospitals, clinics, or other medical facilities in that portion of the West University Neighborhood designated as East 12th High Density Residential and Clinic Area, shall be permitted, subject to an approved conditional use permit. Expansion of medical facilities in existence on August 1, 2001 shall be allowed on land used for such purpose as of August 1, 2001 without the requirement to comply with the residential density requirements. The proposed conversion of land in residential use for the expansion of existing medical facilities or the establishment of new medical facilities shall be subject to the residential density requirements of Table 9.2750. (See West University Plan.)
 - (d) Hospitals, clinics and other medical facilities shall be permitted in that portion of the Coburg/Crescent area designated for high-density residential use, subject to an approved conditional use permit. (See Willakenzie Area Plan.)
 - (e) Hospitals, clinics and other medical facilities are prohibited in that portion of the westside neighborhood designated as the central residential area. (See Westside Neighborhood Plan.)
 - (f) In the areas described in (b) and (d) above, hospitals, clinics, or other medical facilities are permitted subject to an approved conditional use permit, and are not required to comply with the residential density requirements of Table 9.2750.
- (2) **Secondary Dwellings.** Secondary dwellings are only permitted in R-1 and are subject to the standards below.
- (a) Secondary dwellings that are within the same building as the primary dwelling shall comply with all of the following:

1. The dwelling shall not exceed 800 square feet unless occupying the full story of a multi-story structure with ground floor residential use.
 2. Either the primary dwelling or the secondary dwelling shall be occupied by the property owner.
 3. There shall be at least 1 off-street parking space on the property.
 4. Except for flag lots, the lot shall be at least 4,500 square feet. Flag lots shall contain at least 13,500 square feet to permit a secondary dwelling.
- (b) In addition to the standards in subsection (a) of this section, detached secondary dwellings shall comply with the following:
1. Except for flag lots, the lot shall be at least 6,000 square feet. Flag lots shall contain at least 13,500 square feet.
 2. If located within 20 feet of a property line, the maximum building height shall not exceed 15 feet.
 3. Provide a pedestrian walkway from the street or alley to the primary entrance of the secondary dwelling.
 4. The primary entrance to a secondary dwelling shall be defined by a roofed porch.
 5. Outdoor storage and garbage areas shall be screened from view from adjacent properties and those across the street or alley.

Prior to issuance of a final occupancy permit for the secondary dwelling (or the primary dwelling if it is constructed later), the owner shall provide the city with a copy of a notice that has been recorded with the Lane County Clerk that documents the requirement that the secondary dwelling or primary dwelling is, and will remain, owner/occupied.

- (3) **Rowhouses.** In R-1.5, rowhouses shall comply with all of the following:
- (a) Maximum Building Size: Eight rowhouses in a building, no more than 180 feet in width.
 - (b) Minimum Interior or Rear Open Space Required: 400 square feet per rowhouse with a minimum smallest dimension of 14 feet.
 - (c) Auto access and parking shall be provided from the alley to the rear of the lot; there shall be no auto access from the front of the lot.
- (4) **Duplex.** When located in R-1, a duplex shall conform to 1 of the following standards:
- (a) The duplex was legally established on August 1, 2001.
 - (b) The duplex is on a corner lot abutting public streets as provided in EC 9.2760 Residential Zone Lot Standards.
 - (c) The duplex is on a lot that was identified as a duplex lot in a subdivision.
- (5) **Triplex.** When located in R-1, a triplex shall be on a lot that was identified as a triplex lot in a subdivision.
- (6) **Four-plex.** When located in R-1, a fourplex shall be on a lot that was identified as a four-plex lot in a subdivision.
- (7) **C-1 Neighborhood Commercial in Residential Zones.** Uses permitted

outright in the C-1 Neighborhood Commercial zone shall be permitted in any residential zone through the planned unit development process with a demonstration that the commercial uses will serve residents living in the PUD.

- (8) **C-1 Neighborhood Commercial in R-2, R-3 and R-4 Zones.** Uses permitted outright or subject to site review in the C-1 Neighborhood Commercial zone shall be conditionally permitted in the R-2, R-3 and R-4 zone when the minimum residential density is achieved on the development site. All applicable standards for uses in the C-1 zone shall be complied with or granted an adjustment through the conditional use permit process except as follows:
- (a) Neighborhood Commercial uses being approved through the conditional use permit process shall be located on arterial streets.
 - (b) In R-2, EC 9.2161(1) Small Business Incentives in C-1 shall not apply. Instead, each individual business shall be limited to a total of 2,500 square feet of floor area.
 - (c) Buildings within the maximum front yard setback shall be oriented toward the street.
 - (d) Maximum front yard setback shall be no greater than the predominant front yard original setback line in the immediate vicinity.
 - (e) No off-street parking shall be located between the front facade of any building and the primary adjacent street. This standard applies to new buildings and to completely rebuilt projects constructed after August 1, 2001.
 - (f) In new development, 60% of the site frontage abutting a street shall be occupied by a building within the maximum setback or by an enhanced pedestrian space. No more than 20% of the 60% may be an enhanced pedestrian space.
 - (g) Building Entrances:
 - 1. All building sides that face an adjacent public street shall feature at least one customer entrance.
 - 2. Building sides facing two public streets may feature one entrance at the corner.
 - 3. Each commercial tenant of the building, unless an accessory to the primary tenant, shall be accessed through individual storefront entrances facing the street.
 - (h) Ground floor walls shall contain display windows across a minimum of 50 percent of the length of the street-facing wall of the building. Windows meeting the criteria of display windows shall have sills at 30 inches or less above grade.

(Section 9.2741, see chart at front of Chapter 9 for legislative history from 2/26/01 through 6/1/02; and amended by Ordinance No. 20270, enacted November 25, 2002, effective December 25, 2002.)

9.2750 Residential Zone Development Standards. In addition to applicable provisions contained elsewhere in this code, the development standards listed in this section and in EC 9.2751 to EC 9.2777 shall apply to all development in residential zones. In cases of conflicts, standards specifically applicable in the residential zone shall apply.

The following Table 9.2750 sets forth the residential zone development standards, subject to the special development standards in EC 9.2751.

Table 9.2750 Residential Zone Development Standards (See EC 9.2751 Special Development Standards for Table 9.2750.)					
	R-1	R-1.5	R-2	R-3	R-4
Minimum Net Density per Acre (1)	No Minimum	--	10 units	20 units	20 units
Maximum Net Density per Acre (1)	14 units	--	28 units	56 units	112 units
Maximum Building Height (2), (3), (4), (5)					
Main Building. Includes Secondary Dwellings Within the Main Building.	30 feet	35 feet	35 feet	50 feet	120 feet
Accessory Building. Includes Secondary Dwellings Detached from Main Building	20 feet	20 feet	25 feet	30 feet	30 feet
Main and Accessory Buildings on Flag/Alley Lots when located within 20 feet of any interior property line (See EC 9.2775(5)(b))	15 feet	--	--	--	--
Minimum Building Setbacks (2),(4),(6),(8),(9),(10)					
Front Yard Setback (excluding garages and carports)	10 feet	10 feet	10 feet	10 feet	10 feet
Front Yard Setback for Garage Doors and Carports (11)	18 feet	--	18 feet	18 feet	18 feet
Interior Yard Setback (excluding education, government and religious uses and buildings located on Flag Lots in R-1 created after December 25, 2002)(7)	5 feet or minimum of 10 feet between buildings	--	5 feet or minimum of 10 feet between buildings	5 feet or minimum of 10 feet between buildings	5 feet or minimum of 10 feet between buildings
Interior Yard Setback for Education, Government and Religious Uses.	15 feet	--	15 feet	15 feet	15 feet
Interior Yard Setback for Buildings Located on Flag Lots in R-1 Created After December 25, 2002 (See EC 9.2775(5)(b))	10 feet	--	--	--	--
Maximum Lot Coverage					
All Lots, Excluding Rowhouse Lots	50% of Lot		50% of Lot		
Rowhouse Lots	75% of Lot	75% of Lot	75% of Lot	75% of Lot	75% of Lot
Outdoor Living Area (12)					
Minimum Total Open Space	--	--	20% of dev. site	20% of dev. site	20% of dev. site

Table 9.2750 Residential Zone Development Standards (See EC 9.2751 Special Development Standards for Table 9.2750.)					
	R-1	R-1.5	R-2	R-3	R-4
Fences (13)					
(Maximum Height Within Interior Yard Setbacks)	6 feet	42 inches	6 feet	6 feet	6 feet
(Maximum Height within Front Yard Setbacks)	42 inches	42 inches	42 inches	42 inches	42 inches

(Section 9.2750, see chart at front of Chapter 9 for legislative history from 2/26/01 through 6/1/02; and amended by Ordinance No. 20270, enacted November 25, 2002, effective December 25, 2002.)

9.2751 Special Development Standards for Table 9.2750.

(1) Density.

- (a) The minimum residential density requirements set forth in Table 9.2750 do not apply to attached secondary dwellings in R-1 or to residentially zoned lots or development sites that are developed and are 13,500 square feet or less in size. (Refer to Table 9.2750 Residential Zone Development Standards for the required net area per dwelling unit.)
- (b) For purposes of this section, "net density" is the number of dwelling units per acre of land in actual residential use and reserved for the exclusive use of the residents in the development, such as common open space or recreation facilities.
- (c) For purposes of calculating net density, the acreage of land considered part of the residential use shall exclude public property, including streets, parks, and other public facilities. In calculating the minimum net density required for a specific lot or development site, the planning director shall round down to the previous whole number. In calculating the maximum net density allowed for a specific lot or development site, the planning director shall round up to the next whole number. At the request of the developer, the acreage also may exclude natural or historic resources. Natural resources include those identified within a local inventory with moderate to high resources values. For purposes of this section, historic resources include historic property and resources identified in an official local inventory as "primary" or "secondary." It may also include additional natural or historic resources upon approval of the planning director.
- (d) Legally established buildings and uses conforming to the residential net density requirements in the R-2, R-3 and R-4 zones on December 7, 1994 are exempt from EC 9.1210 to 9.1230 Legal Nonconforming Situations, pertaining to nonconforming uses. This exemption is limited to development sites in the R-2, R-3, and R-4 zones on which residential buildings and uses existed, or in which a development permit or land use

- application was pending, on December 7, 1994. If such a building which is nonconforming as to minimum density is destroyed by fire or other causes beyond the control of the owner, the development site may be redeveloped with the previous number of dwelling unit(s) if completely rebuilt within 5 years. If not completely rebuilt within 5 years, the development site is subject to the density standards of this section.
- (e) Provided the number of dwelling units are not reduced below the number present at the time of historic landmark designation, changes in the number of dwelling units within the historic property are exempt from the residential net density minimums.
 - (2) Maximum building height, minimum building setbacks, and maximum building dimensions may be modified with an approved planned unit development permit. (For planned unit development procedures refer to EC 9.7300 General Overview of Type III Application Procedures and for approval criteria refer to EC 9.8320 Tentative Planned Unit Development Approval Criteria - General.)
 - (3) In the R-3 and R-4 zone, the maximum building height shall be limited to 30 feet for that portion of the building located within 50 feet from the abutting boundary of, or directly across an alley from, land zoned R-1.
 - (4) Solar standards may require a more restrictive height limitation and setback requirement, refer to EC 9.2795 Solar Setback Standards.
 - (5) Exceptions to general height restrictions are contained in:
 - (a) EC 9.6715 Height Limitation Areas.
 - (b) EC 9.6720 Height Exemptions for Roof Structures and Architectural Features.
 - (6) Special setback provisions may also apply, see EC 9.6750 Special Setback Standards.
 - (7) Except where buildings abut or share a common wall, the owner of a lot or parcel with an interior yard of less than 5 feet from the adjacent property line must secure and record in the office of the Lane County Recorder a maintenance access easement adjacent to that side of the building. The easement shall provide a 5-foot wide access the entire length of the building and 5 feet beyond both ends, and require a 10-foot separation between buildings on separate lots. The easement shall be on a form provided by the city, shall be approved by city staff, and be subject to a review and payment of a fee set by the city manager.
 - (8) Certain building features and uses may intrude into required setback, refer to EC 9.6745 Setbacks - Intrusions Permitted, and EC 9.6750 Special Setback Standards.
 - (9) Except as provided in this subsection (10), no interior setback along the side property lines is required if the buildings abut or share a common wall that conforms to adopted state building codes. A 5 foot setback is required at the end of the rowhouse building, or a minimum of 10 feet between the rowhouse building and any adjacent building. A 5 foot setback is also required along an alley.
 - (10) Alley access parcels shall be subject to the provisions of this section for all

yards, including the yard adjacent to the property line separating the alley access parcel from the original parent parcel. Alley access parcels have only interior yard setbacks. There are no front yard setbacks since there is no frontage on a street.

(11) The 18 foot setback requirement for garages and carports is measured through the centerline of the driveway from the front property line to either the garage door or to the frontmost support post of a carport.

(12) For multiple-family projects, refer to EC 9.5500(9) Open Space.

(13) Fences.

(a) Types. The type of fence (including walls or screens) used is subject to specific requirements stated in the landscape standards beginning at EC 9.6200 Purpose of Landscape Standards. The standards apply to walls, fences, and screens of all types including open, solid, wood, metal, wire, masonry or other material. Use of barbed wire and electric fencing is regulated in EC 6.010(d) Fences.

(b) Location and Heights.

1. Fences up to 42 inches in height are permitted within the required front yard setback.
2. Fences up to 6 feet in height are permitted within the required interior yard setback.
3. The height of fences that are not located within the required setback areas is the same as the regular height limits of the zone.
4. Fences must meet the standards in EC 9.6780 Vision Clearance Area.

(Section 9.2751, see chart at front of Chapter 9 for legislative history from 2/26/01 through 6/1/02.)

9.2760 Residential Zone Lot Standards. The following Table 9.2760 sets forth residential zone lot standards, subject to the special standards in EC 9.2761.

Table 9.2760 Residential Zone Lot Standards (See EC 9.2761 Special Standards for Table 9.2760.)					
	R-1	R-1.5	R-2	R-3	R-4
Lot Area Minimum (1)					
Lots, except Rowhouse Lots, Small Lots, Duplex Lots, Triplex Lots, Fourplex Lots, Residential Flag Lots, Duplex Division Lots	4,500 square feet	—	4,500 square feet	4,500 square feet	4,500 square feet
Small Lots (2)	Per Cluster Subdivision or PUD		2,250 square feet or per Cluster Subdivision or PUD	2,250 square feet or per Cluster Subdivision or PUD	2,250 square feet or per Cluster Subdivision or PUD