

Chapter 2 – Land Use Districts

- 2.0 Land Use District Administration
- 2.1 Single-Family Residential (RS) Zone
- 2.2 Multi-Family Residential (RM) Zone
- 2.3 Commercial (CG) Zone
- 2.4 Industrial Commercial (IC) Zone
- 2.5 Public (P) Zone

Commented [SA1]: General TAC question: Is it okay for us to make formatting changes (e.g., standardizing font styles, numbering, etc.) without track changes on, provided that no text or content is moved/changed? This will help to reduce the number of comment boxes and make it easier to read substantive changes.

2.0 - Land Use Districts Administration

Sections:

2.0.1 Classification of Land Use Districts

2.0.2 Zoning Map

2.0.3 Determination of Land Use District Boundaries

2.0.4 Lot Area and Dimension

2.0.1 Classification of Land Use Districts. All areas within the urban growth boundary of the City of Detroit are divided into land use districts. The use of each lot, parcel and tract of land is limited to uses permitted by the applicable land use district. The applicable land use district shall be determined based on the Zoning Map, and the provisions of this Chapter.

2.0.2 Zoning Map.

- A. Consistency with zoning map. The boundaries of each of the land use districts contained within this chapter shall coincide with the land use district boundaries identified on the city's official zoning map, retained by the City Recorder. This map, by this reference, is made a part of this Development Code. The city shall maintain a certified print of the adopted zoning map and any map amendments.
- B. Applicability of zoning requirements. Each lot, tract and parcel of land or portion thereof within the zoning boundaries as designated and marked on the zoning map, is classified, zoned and limited to the uses as hereinafter specified and defined for the applicable district classification.
- C. Uses not specifically covered. The City Recorder, subject to direction by the Planning Commission and City Council, may permit in a zone any use not described in this Code if the proposed use is found to be in general keeping with the uses authorized in such zone.
- D. Zoning map amendments. All amendments to the city land use district (zoning) map shall be made in accordance with the provisions of Chapter 4.7.
1. Copies of all map amendments shall be dated with the effective date of the ordinance adopting the map amendment, and shall be maintained without change, together with the adopting documents, on file at the city; and
 2. The city shall make available for public inspection an up-to-date copy of the revised zoning map so that it accurately portrays changes of zone boundaries or classification, as applicable.

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2.0.3 Determination of Land Use District Boundaries

Where due to the scale, lack of scale, lack of detail or illegibility of the city zoning map, or due to any other reason, there is uncertainty, contradiction or conflict as to the intended location of district boundary lines, the boundary lines shall be determined by the city in accordance with the following:

1. Boundaries indicated as approximately following the center lines of streets, highways, railroad tracks or alleys shall be constructed to follow such center lines;
2. Boundaries indicated as approximately following the boundaries of a parcel, lot, or tract shall be construed as following such boundaries;

3. Boundaries indicated as approximately following a city boundary, or the Urban Growth Boundary, shall be constructed as following said boundary;
 4. Boundaries indicated as approximately following river, stream, and/or drainage channels or basins shall be constructed as following river, stream, and/or drainage channels or basins, as applicable; and
 5. Whenever any public right-of-way is lawfully vacated, the lands formerly within the vacated right-of-way shall automatically be subject to the same land use district designation that is applicable to lands abutting the vacated area. In cases where the right-of-way formerly served as a land-use district boundary, the lands formerly within the vacated right-of-way shall be allocated proportionately between the subject land use districts/zones.
- 2.0.4** Lot Area and Dimension. The minimum lot area and dimension requirements established in this Code shall apply to new lots created as the result of a partitioning, subdivision or planned unit development approval, and shall also apply to newly configured lots resulting from a lot line adjustment. These standards shall be considered the minimum necessary; additional lot area may be required to accommodate an approved septic sewage system.

Chapter 2.1 – Residential Single Family (RS) Zone

Sections:

2.1.1 Purpose

2.1.2 Permitted Uses

2.1.3 Transitional Uses

2.1.4 Conditional Uses

2.1.5 Dimensional Standards

2.1.6 Development Standards

2.1.7 Special Standards for Certain Uses

2.1.1 Purpose

To provide for single-family dwellings and their accessory uses and to permit with conditional use approval certain other uses that are necessary or compatible to single-family residential living.

The Single-Family Residential (RS) Zone is intended to preserve existing single-family residential areas and provide for future single-family residential housing opportunities. The RS Zone is consistent with the Single Family Residential Comprehensive Plan designation.

2.1.2 Permitted Uses

Within the RS zone, no building, structure or premise shall be used, arranged or designed to be used, erected, structurally altered, or enlarged except for the following uses and activities:

- A. Single-family dwellings with at least 600 square feet of living space, including manufactured homes subject to Section 2.1.7(A).
- B. Public parks and playgrounds.
- C. Public utility structures and buildings, such as pump stations, reservoirs and electric substations; but not including telecommunications facilities or office or administrative buildings.
- D. Child care facilities for less than thirteen (13) children complying with ORS 657A.030 and 657A.250 to 657A.450.
- E. Accessory structures and uses, including but not limited to customary residential accessory buildings for private use, such as a greenhouse, hobby shop, patio, enclosed or covered patio, fence, (over six (6) feet) or garage; provided the requirements in Chapter 3.8 are satisfied. Accessory uses and structures may also include:
 1. Guest houses and guest facilities provided they are not used for rental purposes.
 2. Gardens, orchards and crop cultivation, provided no stable or barn, cattle or other livestock, or poultry is maintained on the property, and no sales or retail business is conducted.
- F. Residential homes and facilities consistent with the definitional requirements in Chapter 1.3 and 2.1.7(C).

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Commented [SA4]: TAC question: do you want this level of nuance? (i.e., guest house [without kitchen] is different than tiny home or accessory dwelling)

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- G. Temporary use of Recreational Vehicles conforming to the regulations in Chapter 3.6.
- H. Tiny Homes that meet the definitional requirements in Chapter 1.3 and the development standards of Chapter 2.1.7(E).
- I. Accessory dwellings that meet the definitional requirements in Chapter 1.3 and the development standards of 2.1.7(B).

2.1.3 Transitional Uses

In addition to the uses identified as Permitted Uses in the RS Zone, the following transitional uses shall be permitted where the side of a lot abuts any commercial zone or industrial zone, or a zone that permits multifamily residential development, provided that such transitional use does not extend across a street or alley, and in no case shall the transitional use be located more than 165 feet from the boundary of the less restrictive zone it adjoins. Permitted transitional uses shall include:

- A. Churches.
- B. Community or neighborhood club buildings.
- C. Government offices and facilities (administration, public safety, transportation, utilities, and similar use).
- D. Outdoor plant nursery, including wholesale and retail commercial activities.

2.1.4 Conditional Uses

When authorized under the procedures in Chapter 4.4, the following uses may be permitted in the RS Zone:

- A. Churches and places of worship.
- B. Community or neighborhood club buildings.
- C. Planned unit development, subject to land division provisions in Chapter 4.5.6.
- D. Manufactured home parks, subject to site development standards in Chapter 4.5.4.
- E. Tiny home parks, subject to the definitional requirements in Chapter 1.3 and the development standards for manufactured home parks, Chapter 4.5.4
- F. Conditional home occupation consistent with the requirements in Chapter 4.5.2.
- G. Boat, camper and trailer storage area on lot consistent with the requirements in Chapter 4.5.3.
- H. Bed and Breakfast establishments consistent with the definitional requirements in Chapter 1.3.
- I. Child care facilities serving over 13 children in compliance with ORS 657(A).
- J. Schools (public and private).

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Commented [SA5]: TAC question: do you want home occupations to be a conditional use, or would you prefer to have home occupations be a Type I or II procedure instead?

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K. Government offices and facilities (administration, public safety, transportation, utilities, and similar

2.1.5 Dimensional Standards

A. Minimum Lot Area

- 1. Single Family dwellings: 8,000 square feet
- 2. Public utility structures: Lot area shall be adequate to contain all proposed structures within the required yard setbacks.

B. Minimum Yard Setback Requirements. All principal structures shall maintain the following minimum yard setbacks:

- 1. Front Yards, Yards Adjacent to Streets 15 feet
- 2. Side and Rear Yards 5 feet

C. Special Setbacks. The following special building setbacks shall be maintained:

- 2. The garage entrance shall be setback a minimum of 20 feet from an adjacent street.
- 3. Accessory structures shall comply with the setback provisions in Chapter 3.8.

D. Maximum Structure Height

The maximum structure height is 35 feet. Churches or public buildings with conditional use permits may be constructed to a maximum of 70 feet.

E. Minimum Lot Width 50 feet

2.1.6 Development Standards

All development in the Residential Single Family (RS) Zone shall comply with the applicable provisions of Chapter 3 of this Code. In addition, the following specific standards shall apply:

- A. Density. A minimum of 4.0 dwelling units per acre shall be required of all new subdivisions and planned unit developments.
- B. Maximum Lot Coverage. The maximum lot coverage, including the main building and any accessory structures, shall be 60 percent.
- D. Subdivisions and partitions. Land divisions shall be reviewed in accordance with the provisions of Chapter 4.3.

2.1.7 Special Standards for Certain Uses

This section supplements the standards contained in Sections 2.1.1 through 2.1.6. It provides standards for the following land uses in order to control the scale and compatibility of those uses within the RS Zone:

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Commented [SA7]: TAC question: are these setbacks sufficient? Any concerns?

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Commented [SA9]: Comment from Kelly: Garage 20' setback, why? Does this include attached garages?

Commented [SA10R9]: TAC question: do you want garages setback further, and does it matter if it's attached or not?

Deleted: 1. → Buildings or structures shall setback an additional one (1) foot from every street and lot line for each foot of height the building exceeds 35 feet....

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Commented [SA11]: Comment from Kelly: How to measure building height (35') if on a slope?

Commented [SA12R11]: Definition (Chapter 1.3) Building Height - The vertical distance between the average level of the finished ground surface adjacent to the building and the uppermost point of the building, excluding only those features that may exceed the zoning district height limits.

TAC question: do you want to add clarifying visuals to the appendix?

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Commented [SA13]: Comment from Kelly: Building more than 60% of the lot (Ramadas?)

TAC question: any concerns about this standard?

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Deleted: E. → Signs. Signs shall conform to the requirements of Section 3.6.2

Commented [SA14]: Note: I standardized the bullet points/formatting in this section, but it was too messy with track changes on. No text or content was changed.

A. Manufactured homes on individual lots or parcels. Manufactured homes are permitted on individual lots and parcels, subject to all of the following design standards, consistent with ORS 197.307(4). Exception: The following standards do not apply to units that existed within the City before the effective date of this Code.

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1. Floor Plan. The manufactured home shall be multi-sectional and have an enclosed living space of not less than 700 square feet;
2. Roof. The manufactured home shall have a pitched roof with a slope not less than three (3) feet in height for each 12 feet in width (14 degrees);
3. Residential Building Materials. The manufactured home shall have exterior siding and roofing which in color, material and appearance are similar or superior to the exterior siding and roof material used on nearby residences (e.g., horizontal wood or wood-appearance siding is considered “superior” to metal siding and roofing);
4. Thermal Envelope. The manufactured home shall be certified by the manufacturer to meet the thermal envelope requirements equivalent to those for a single-family dwelling constructed under the State Building Code. Evidence demonstrating that the manufactured home meets “Super Good Cents” energy efficiency standards is deemed to satisfy the exterior thermal envelope certification requirement. Additional manufacturer certification shall not be required.
5. Placement. The manufactured home shall be placed on an excavated and back-filled foundation and enclosed at the perimeter such that the manufactured home is located not more than 16 inches above grade, and complying with the minimum set-up standards of the adopted Oregon Administrative Rules for Manufactured Dwellings, Chapter 918. Where the building site has a sloped grade, no more than 16 inches of the enclosing material shall be exposed on the uphill side of the home;
6. Foundation Skirt. The foundation area of the manufactured home shall be fully skirted; and

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B. Accessory Dwellings.

1. Oregon Structural Specialty Code. The structure complies with the Oregon Structural Specialty Code;
2. Owner-Occupied. The primary residence or accessory dwelling shall be owner-occupied. Alternatively, the owner may appoint a family member as a resident caretaker of the principal house and manager of the accessory dwelling;
3. One Unit. A maximum of one accessory dwelling unit is allowed per lot;
4. Floor Area. The maximum floor area of the accessory dwelling shall not exceed 800 square feet;
5. Building Height. The building height of detached accessory dwellings (i.e., separate cottages) shall not exceed 25 feet; and
6. Buffering. A minimum four-foot hedge or fence shall be required to buffer a detached accessory dwelling from dwellings on adjacent lots.

Commented [SA17]: Standards taken from definition for “Accessory Dwelling” in chapter 1.3

Deleted: <#>Prohibited. The manufactured home shall not be located in a designated historic district.¶

C. Residential care homes and facilities. Residential care homes are residential treatment or training homes or adult foster homes licensed by the State of Oregon. They may provide residential care alone, or in conjunction with treatment and/or training, for five (5) or fewer individuals (“homes”) or 6 to 15 individuals (“facilities”) who need not be related. Staff persons required to meet State licensing requirements shall not be counted in the number of facility residents and need not be related to each other

Commented [SA18]: Original language: Buffering. A minimum four-foot hedge or fence may be required to buffer a detached accessory dwelling from dwellings on adjacent lots, when buffering is necessary for the privacy and enjoyment of yard areas by either the occupants or adjacent residents.

Changes: changed “may” to “shall” and removed the language after the comma

TAC question: does this make sense?

or the residents. Residential care homes and facilities shall comply with the following standards, consistent with ORS 197.660-670:

1. Licensing. All residential care homes shall be duly licensed by the State of Oregon.
2. Parking. A minimum of one parking space shall be provided for each employee and typical number of visitors, in accordance with Chapter 3.3.
3. Site Design Review. Site Design Review shall be required for new structures to be used as residential care homes or facilities, and for conversion of an existing residence to be used as a residential care home, to ensure compliance with the licensing, parking, and other requirements of this Code.

D. Public and Institutional Land Uses. Public and institutional uses (e.g., churches, clubs, government offices, libraries, parks, schools, telecommunications equipment, etc.) are conditional uses in the RS Zone subject to the provisions of Chapter 4.4 and the following use standards, which are intended to control the scale of these developments and their compatibility with nearby residences:

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1. Development Site Area. The maximum development site area shall be 4 acres, except that this standard shall not apply to parks and open space uses.
2. Telecommunications Equipment. Telecommunications equipment (e.g., cellular towers and antennae) shall comply with the standards of Chapter 4.5.7.
3. Vehicle Areas and Trash Receptacles. All vehicle areas (i.e., parking, drives, storage, etc.) and trash receptacles shall be oriented away from adjacent residences to the greatest extent practicable, and shall be screened with an evergreen hedge or solid fence or wall of not less than six (6) feet in height.

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4. Buildings or structures shall setback an additional one (1) foot from every street and lot line for each foot of height the building exceeds 35 feet.

E. Tiny Homes. Tiny homes are permitted on individual lots and parcels in the Residential zones, subject to ALL of the development standards listed under their respective build type below:

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1. Site Built.
 - a. Shall comply with the dimensional standards of the zoning district in which it is located.
 - b. Shall be constructed on a foundation according to Oregon Residential Specialty Code standards.
 - c. Shall comply with all standards required for a single family home under the Oregon Residential Specialty Code.
 - d. Tiny homes located in the Residential zones shall be connected to septic with proof of a Septic Authorization Notice from Marion County Public Works Department. Discharge of “grey water” and/or toilet facilities directly onto the ground is prohibited.
 - e. Shall have an enclosed living space of not less than 200 square feet and not more than 600 square feet.

- f. Shall have a pitched roof (gable roof or shed roof) with a slope not less than three (3) feet in height for each 12 feet in width (14 degrees)
 - g. Shall have exterior siding and roofing of horizontal wood or wood appearing material, which in color, material and appearance are similar or superior to the exterior siding and roof material used on nearby residences (e.g., horizontal wood or wood-appearance siding is considered “superior” to metal siding and roofing).
2. Modular/Prefabricated.
- a. Shall comply with the dimensional standards of the zoning district in which it is located.
 - b. Shall have an enclosed living space of not less than 200 square feet and not more than 600 square feet.
 - c. Shall meet all requirements for a single family home under the Oregon Residential Specialty Code.
 - d. Shall be placed on a slab, have the wheels removed, and be fully skirted.
 - e. Shall be secured to the ground according to the requirements of the Oregon Residential Specialty Code for the installation of manufactured homes.
 - f. Tiny homes located in the Residential zones shall be connected to septic with proof of a Septic Authorization Notice from Marion County Public Works Department. Discharge of “grey water” and/or toilet facilities directly onto the ground is prohibited.
 - g. Shall have a pitched roof with a slope not less than three (3) feet in height for each 12 feet in width (14 degrees)
 - h. Shall have exterior siding and roofing which in color, material and appearance are similar or superior to the exterior siding and roof material used on nearby residences (e.g., horizontal wood or wood-appearance siding is considered “superior” to metal siding and roofing).

Commented [SA19]: Again, consider removing to encourage wildfire hardening

Commented [SA20]: Working with Marion County building official to develop language compliant with state code. Stay tuned...

Commented [SA21]: Again, consider removing to encourage wildfire hardening

Chapter 2.2 – Residential Multi Family (RM) Zone

Sections:

2.2.1 Purpose

2.2.2 Permitted Uses

2.2.3 Conditional Uses

2.2.4 Dimensional Standards

2.2.5 Development Standards

2.2.1 Purpose

To provide for multiple family dwellings and other residentially oriented uses within and adjacent to single-family residential areas. It is the intent of the RM zone to act as a buffer between commercial and industrial uses and single-family residential development.

2.2.2 Permitted Uses

Within the RM zone, no building, structure or premise shall be used, arranged or designed to be used, erected, structurally altered, or enlarged except for the following uses and activities:

- A. Single-family dwellings with at least 600 square feet of living space, including manufactured homes subject to Section 2.1.7(A).
- B. Duplexes and multifamily dwellings, detached or attached.
- C. Public parks and playgrounds.
- D. Public utility structures and buildings, such as pump stations, reservoirs, and electric substations; but not including telecommunications facilities or office or administrative buildings.
- E. Child care facilities for less than 13 children complying with ORS 657(A).
- F. Accessory structures and uses, including but not limited to customary residential accessory buildings for private use, such as a greenhouse, hot house, hobby shop, patio, enclosed or covered patio, fences (over six (6) feet) or garage; provided the requirements in Chapter 3.8 are satisfied. Accessory uses and structures may include:
 1. Guest houses and guest facilities provided they are not used for rental purposes.
 2. Gardens, orchards and crop cultivation, provided no stable or barn, cattle or other livestock, or poultry is maintained on the property, and no outdoor sales or retail business is conducted.
- G. Boarding houses and rooming houses.
- H. Churches and places of worship.
- I. Community or neighborhood club buildings.

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Commented [SA22]: Making this match with R zone; added accessory dwellings as a separate permitted use

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Commented [SA23]: TAC question: there's no definition for "boarding houses"—any reason to have this language?

J. Residential Homes and Residential Facilities consistent with the definitional requirements in Chapter 1.3 and 2.1.7(C).

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K. Tiny Homes that meet the definitional requirements in Chapter 1.3 and the development standards of Chapter 2.1.7(E).

L. Accessory dwellings that meet the definitional requirements in Chapter 1.3 and the development standards of 2.1.7(B).

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2.2.3 Conditional Uses When authorized under the procedures in Chapter 4, the following uses shall be permitted in the RM zone:

- A. Planned unit development, consistent with the requirements in Chapter 4.5.7.
- B. Manufactured home parks, consistent with the requirements in Chapter 4.5.6.
- C. Tiny home parks, subject to the definitional requirements in Chapter 1.3 and the development standards for manufactured home parks, Chapter 4.5.4.
- D. Home Occupations consistent with the requirements in Chapter 4.5.2.
- E. Government offices and facilities (administration, public safety, transportation, utilities, and similar use) consistent with the standards in Chapter 2.1.7(D).
- F. Boat, camper and trailer storage area on lot consistent with the requirements in Chapter 4.5.3.
- G. Bed and Breakfast establishments consistent with the definitional requirements in Chapter 1.3.
- H. Child care facilities that serve over 13 children, in compliance with ORS 657A.
- I. Schools, public and private.

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2.2.4 Dimensional Standards

A. Minimum Lot Area

- 1. Single Family dwellings: 8,000 square feet
- 2. Duplex: 14,000 square feet
- 3. Multi-family dwelling, 3 unit: 15,000 square feet plus 3,000 square feet per unit in excess 3 units
- 4. Public utility structures: Lot area shall be adequate to contain all proposed structures within the required yard setbacks

B. Minimum Yard Setback Requirements. All principal structures shall maintain the following minimum yard setbacks:

- 1. Front Yards, Yards Adjacent to Streets 15 feet
- 2. Side and Rear Yards

Single-family dwellings	5 feet
All other structures	10 feet

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C. Special Setbacks. The following special building setbacks shall be maintained.

1. Buildings or structures shall setback an additional one (1) foot from every street and lot line for each foot of height the building exceeds 35 feet.
2. The garage entrance shall be setback a minimum of 20 feet from an adjacent street.
3. Accessory structures shall comply with the setback provisions in Chapter 3.8.
4. The distance between buildings on the same lot or parcel shall be ten (10) feet.

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D. Maximum Structure Height

The maximum structure height is 35 feet. Churches or public buildings with a conditional use permit may be constructed to a maximum of 70 feet.

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E. Minimum Lot Width 60 feet

2.2.5 Development Standards

All development in the Residential Multi-Family (RM) Zone shall comply with the applicable provisions of Chapter 3 of this Code. In addition, the following specific standards shall apply:

- A. Density. The maximum lot density shall be one (1) dwelling per 3000 square feet of gross area.
- B. Maximum Lot Coverage. The maximum lot coverage, including the main building and any accessory structures, shall be 60 percent.

C. Landscaping.

The following provisions shall apply in the RM Zone:

1. All required yards adjacent to a street shall be landscaped, except for that portion devoted to off-street parking.
2. Each multi-family residential development, other than a single-family residence or duplex, shall contain a minimum of 400 square feet of landscaped area per dwelling unit. The landscaping requirement for yards adjacent to a street may be used to fulfill this requirement.

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E. Subdivisions and partitions. Land divisions shall be reviewed in accordance with the provisions of Chapter 4.3

Deleted: F. → Signs. Signs shall conform to the requirements of Chapter 3.6.2.
 G. → Surface (Storm) Water management shall conform to the requirements of Chapter 3.5.
 H. → Access and Circulation – see Chapter 3.1.
 I. → Vehicle and Bicycle Parking – see Chapter 3.3.

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 H. → Access and Circulation – see Chapter 3.1.
 I. → Vehicle and Bicycle Parking – see Chapter 3.3.

Chapter 2.3 – Commercial General (CG) Zone

Sections:

2.3.1 Purpose

2.3.2 Permitted Uses

2.3.3 Conditional Uses

2.3.4 Limitations on Use

2.3.5 Dimensional Standards

2.3.6 Development Standards

2.3.7 Detroit Avenue Corridor Design Standards

2.3.1 Purpose

To provide areas for a wide range of retail, wholesale, transportation and service uses. To assure compatibility between these uses and adjacent residential and industrial uses, special standards are specified.

2.3.2 Permitted Uses

The following uses are permitted in the General Commercial (CG) Zone, subject to a Site Design Review in accordance with Chapter 4.2.

- A. Schools, public and private, including day nurseries and daycare centers.
- B. Non-profit member organizations, such as business associations, labor unions, political organizations or fraternal lodges.
- C. Public automobile parking.
- D. Business offices including, but not limited to, insurance, real estate and title insurance; credit agencies, brokerages, loan companies, and investment companies; and, miscellaneous offices such as detective agencies, drafting services or contractors offices.
- E. Professional offices including, but not limited to, medical, dental, engineering and legal services. Veterinary clinics shall not provide on-site services for farm animals.
- F. Banks and other financial institutions.
- G. Hotels and motels.
- H. Retail sales outlet including, but not limited to, food stores, pharmacy, furniture store, hobby or photography store, florist, liquor store, hardware store, appliance or stereo equipment store, pet shop, sporting goods, department store, jewelry, gift, greenhouse and garden supply and other types of retail activities.
- I. Restaurants, drive-ins, taverns, snack shops and other types of eating and drinking establishments, including accessory entertainment facilities.

- J. Service-related businesses such as barber shops, beauty shops, advertising agencies, self-serve laundry, dry cleaning, printing or photocopying, or other activities where the primary activity is the providing of a service to retail customers.
- K. Government offices and facilities (administration, public safety, transportation, utilities, and similar use).
- L. Public utility structures and buildings, such as pump stations, reservoirs, and electric substations; but not including wireless communication facilities or office or administrative buildings.
- M. Accessory structures and uses customarily provided for commercial activities subject to Chapter 3.8.
- N. Dwelling units accessory to a permitted use or above a permitted use in accordance with Multi-Family Residential (RM) development standards in Chapter 2.2.5.
- O. Bed and Breakfast establishments consistent with the definitional requirements in Chapter 1.3.
- P. Gardens, orchards, crop cultivation and plant nursery, including wholesale and retail commercial activities, provided no stable or barn, cattle or other livestock, or poultry is maintained on the property.

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2.3.3 Conditional Uses

The following uses are allowed upon obtaining a conditional use permit following the procedures in Chapter 4.4 and completing a Site Design Review (Chapter 4.2):

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- A. Auto-oriented uses and facilities (repair services must be enclosed within a building).
- B. Warehouses for short-term storage, including mini-warehouses.
- C. Lumber yards and contracting supplies for lumber, stone, masonry, or metal (sales only).
- D. Special trade contracting facilities, such as floor laying, building equipment, masonry and stone, plumbing, electrical, metal work or painting.
- E. Welding shops and blacksmiths where activities are conducted wholly within a building.
- F. Cabinet shops where activities are conducted wholly within a building.
- G. Recreational vehicle parks, consistent with the definitional requirements in Chapter 1.3 and Section 4.5.5.
- H. Tiny home parks, consistent with the definitional requirements of tiny homes in Chapter 1.3 and the development standards of recreational vehicle parks, Section 4.5.5.
 - 1. Tiny homes located in a Commercial zone, as part of a Tiny Home Park, may be on wheels and do not require skirting.
 - 2. Tiny homes located in a Commercial zone, as part of a Tiny Home Park, may be self-contained. Property owner must provide proof of an acceptable sanitation system approved by the City. For self-contained units, black and grey water holding tanks shall be emptied only at an authorized RV dump station or pumped by an accredited septic service.

Commented [SA26R25]: They have to get a conditional use at that point, unless Council wants to extend non-conforming uses after the sunset.

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- I. Marinas.
- J. Amusement and recreation facilities such as auditoriums, arcades, bowling alleys, miniature golf courses, community center and motion picture theater and stadiums.
- K. Newspapers, periodicals, publishing, and printing.
- L. Tractor and farm equipment, logging equipment; sales and service.
- M. Veterinary clinics providing on-site service for farm animals.
- N. Kennels.
- O. Wireless Communication Facilities subject to Chapter 4.5.7.
- P. Dwellings, including single-family dwellings, manufactured homes complying with the definitional requirements in Chapter 1.3 of this Ordinance, tiny homes that meet the definitional requirements in Chapter 1.3 and the development standards for tiny homes under Chapter 2.1.7(E), and duplexes and multifamily dwellings, detached or attached.
- Q. Residential Homes and Residential Facilities.

2.3.4 Limitations on Use

All business, services, processing, or merchandise displays shall be conducted wholly within an enclosed building except for the following:

- A. Off-street parking or loading.
- B. Drive-through windows or service stations.
- C. Temporary display and sales of merchandise provided it is under cover of a projecting roof and does not interfere with pedestrian, bicycle or automobile circulation.
- D. Business which, in all cases, require outdoor storage of merchandise, e.g. automobile, RV sales lots or gas stations.

2.3.5 Dimensional Standards

A. Minimum Lot Area

There is no minimum lot area requirement in the CG zone.

B. Minimum Yard Setback Requirements. All principal and accessory structures shall maintain the following minimum yard setbacks:

- 1. No front yard is required.
- 2. No side yard is required, but if one is provided, it shall not be less than three (3) feet in depth, exclusive of any alley.

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Commented [SA28]: TAC question: is this what you want? (i.e., all residential building in CG requires a conditional use)

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- No rear yard is required, but if one is provided, it shall not be less than three (3) feet in depth, exclusive of any alley.

Commented [SA30]: Comment from Kelly: Commercial Zoning – There is no minimum setback?

C. Maximum Structure Height

Commented [SA31R30]: TAC question: do you want to have minimum setback requirements here?

The maximum structure height is 35 feet. Churches or public buildings with conditional use permits may be constructed to a maximum of 70 feet. With conditional use permit approval, Wireless Communication Facilities may be built up to 150 feet.

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- D. Minimum Lot Width. There is no minimum lot-width requirement in the CG zone.

E. Special Setbacks

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The following special building setbacks shall be maintained.

- Buildings or structures shall setback an additional one (1) foot from every street and lot line for each foot of height the building exceeds 35 feet.
- Lots or parcels within the CG zone located adjacent to residential zoned property shall maintain a yard of at least five (5) feet in depth.
- Accessory structures shall comply with the setback provisions in Chapter 3.8.
- The distance between buildings on the same lot or parcel shall be ten (10) feet.

Commented [SA32]: Comment from “needed code updates” document (2018): “Section 2.3.5(E)(1): Distance between buildings on the same lot is 10 feet. County requirement is 20 feet? Or was the 20 foot requirement specific to a self-storage facility building?”

2.3.6 Development Standards

All development in the Commercial General (CG) Zone shall comply with the applicable provisions of Chapter 3 of this Code. In addition, the following specific standards shall apply:

A. Site Design Review

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All new development and expansion of an existing structure or use in the Commercial General Zone shall be subject to the Site Design Review procedures of Chapter 4.2.

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B. Lot Coverage and Landscaping

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- Commercial Uses in the Commercial General Zone may use the entire parcel unless a portion of the parcel is devoted to landscaping. For residential uses other than dwelling units accessory to permitted uses in the Commercial General Zone, the maximum lot coverage, including the main building and any accessory structures, shall be 60 percent.
- Landscaping on land used for commercial purposes in the Commercial General Zone is optional. Where landscaping is used, it shall be installed and maintained in accordance with Chapter 3.2.

C. Screening. Screening shall be required for the following:

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- All outdoor storage areas shall be screened to the public and/or adjacent properties by a six (6) foot sight-obscuring fence or wall.

2. Where a commercial use abuts a residential zone, a six (6) foot sight-obscuring fence or wall shall be installed along the full length of the property line. This requirement shall not cause the placement of a fence or wall in the clear-vision area.

Commented [SA33]: TAC question: is this practical/necessary? There are only 8 properties where this would apply (though this could change in the future).

D. Outdoor Display. There shall be no outdoor display or storage of materials or merchandise within a designated alleyway, roadway or sidewalk that would impede pedestrian or vehicular traffic except during community, retail sales events. Safety precautions shall be observed at all times.

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E. Accessory Structures. Accessory structures shall conform to the standards in Chapter 3.8.

F. Subdivisions and partitions. Land divisions shall be reviewed in accordance with the provisions of Chapter 4.3.

G. Signs. Signs shall conform to the requirements of Chapter 3.6.2.

H. Surface (Storm) Water management shall conform to the requirements of Chapter 3.5.

I. Vehicle and Bicycle Parking – see Chapter 3.3.

J. Access and Circulation – see Chapter 3.1.

2.3.7 Detroit Avenue Corridor Design Standards

All development on land in the Detroit Avenue Corridor (Detroit Avenue North, between D Street and Forest Avenue) zoned Commercial General (CG) shall comply with the following design standards:

Commented [SA34]: Comment from Kelly (though seems like it defines it here; maybe just include the words “downtown corridor” in this section?): Where exactly is the downtown corridor?

A. Types and sizes of Windows: All businesses shall install windows that:

1. Cover at least 50 percent of the building wall facing the Detroit Avenue Corridor, and
2. Are translucent.

B. Buildings shall utilize at least three (3) of the following design features:

1. Awnings,
2. Covered porches,
3. Eaves,
4. Restricted building materials,
5. Roof line off-sets,
6. Front building wall off-sets, or
7. Siding.

Standards for Numbers 1, 2, and 3: Awnings, Covered porches and Eaves. All awnings, covered porches and eaves shall be attached to the main building, a minimum of ten (10) feet in depth, and extend the full distance of the front wall parallel to Detroit Avenue.

Commented [SA35]: Move this section to Chapter 3

Standards for Number 4: Restricted building façade materials. All building walls facing streets shall be constructed of brick, stone, log, wood or wood-pattern siding. The use of corrugated steel, Quonset hut designs; cinder block and concrete slab walls are prohibited.

Standards for Number 5: Wood siding, roof-line off-sets. To preclude large expanses of uninterrupted building/roof surfaces, exterior elevations along the building front shall incorporate projections, dormers, gables, or other similar elements. Each building shall have at least one off-set design, and additional off-set designs shall occur at a minimum of every 30 feet.

Standards for Number 6: Building off-sets. To preclude long, unbroken building facades and simple box forms, exterior elevations along the building front wall shall incorporate off-set design features such as recesses, projections, extensions, or other similar elements. Each building shall have at least one off-set design, and additional off-set designs shall occur at a minimum of every 30 feet.

Off-sets or breaks in roof elevation shall be three (3) or more feet in height.

Standard for Number 7: Siding. Siding shall be used on all walls and/or building faces.

- C. Acceptable building material include brick, stone, cedar or horizontal lap siding.
- D. All development on the east side of Detroit Avenue shall provide on the property facing Highway 22 a minimum landscaped area equal to ten (10) percent of the gross site area or a planned and well-maintained mural.
- E. Porch foundations, chimneys, and storefront bulkheads may be faced with stone; either quarry or river rock.
- F. Building colors, trim and roofing shall remain within the recommended traditional color scheme of natural or weathered gray wood.
- G. Fences or walls facing Detroit Avenue shall be no taller than three (3) feet and shall be constructed of brick, stone, log, wood, or wood-appearing materials. The use of chain link, cinder block, and concrete slab walls are prohibited.

Commented [SA36]: Comments from Kelly:
Downtown Corridor – “Natural colors” What are they?
Chapter 2-18F – Commercial colors?

Chapter 2.4 – Industrial Commercial (IC) Zone

Sections:

2.4.1 Purpose

2.4.2 Permitted Uses

2.4.3 Conditional Uses

2.4.4 Prohibited Uses

2.4.5 Dimensional Standards

2.4.6 Development Standards

2.4.1 Purpose

To provide land for and to encourage the grouping together of warehousing, manufacturing, and other light industrial uses, which, because of their normal characteristics, would be relatively unobjectionable, could be permitted to operate in close proximity to, and would not be detrimental to surrounding commercial or residential uses.

2.4.2 Permitted Uses

The following uses are permitted in the Industrial Commercial (IC) Zone, subject to a Site Design Review in accordance with Chapter 4.2.

- A. Warehouses including mini-warehouse storage; assembly, including light manufacturing, processing, packaging, treatment, fabrication of goods or merchandise; laboratories, offices, bottling and distribution centers, light repair facilities, wholesale businesses, and similar uses. These uses must be located and arranged according to a plan providing for aesthetic and other conditions in harmony with the neighborhood, and not be offensive or obnoxious by reason of emission of odor, dust, smoke, gas, light, noise or vibration. All proposed uses must be approved by the city.
- B. Lumber yard, building material supply.
- C. Automobile-oriented uses (vehicle repair, sales, rental, storage, service; and drive-up, drive-in and drive-through facilities).
- D. Repair and maintenance activities for other vehicles, such as motorcycles, aircraft, boats, recreational vehicles, and trucks.
- E. Tractor, farm equipment, heavy construction equipment, and logging equipment, sales and service.
- F. Welding and blacksmith shop.
- G. Recreational vehicle parks, consistent with the requirements in Chapter 4.5.5.
- H. Tiny home parks, consistent with the definitional requirements in Chapter 1.3 and the development standards of recreational vehicle parks, Section 4.5.5.
 1. Tiny homes located in an Industrial zone, as part of a Tiny Home Park, may be on wheels and do not require skirting.

Commented [SA37]: TAC question: We don't have this zone on the current zoning map. Do we want to keep this, explore it further, etc.?

Commented [SA38]: Essentially all of these are allowed in CG zone, mostly as conditional uses

2. Tiny homes located in an Industrial zone, as part of a Tiny Home Park, may be self-contained. Property owner must provide proof of an acceptable sanitation system approved by the City. For self-contained units, black and grey water holding tanks shall be emptied only at an authorized RV dump station or pumped by an accredited septic service.

- I. Marinas.
- J. Stadium and other public recreational facilities.
- K. Publishing and printing facilities including newspapers and periodicals.
- L. Uses clearly accessory and subordinate to the above.

2.4.3 Conditional Uses

The following uses are allowed subject to obtaining a conditional use permit and completing a Site Design Review:

- A. Manufacture of wood products, including sawmills, paper and allied products, and secondary wood products.
- B. Recycling Facility including outdoor collection bins.
- C. Cement, glass, clay and stone products manufacturing.
- D. Airport, and heliport facilities.
- E. Wireless Communications Facilities.

Commented [SA39]: These are not currently allowed in CG zone (wireless communications facilities are, though)

2.4.4 Prohibited Uses

- A. Chemical, fertilizer, insecticide, paint product manufacturing.
- B. Wrecking, demolition and junk yards.
- C. Rendering plants.
- D. Any other use which is or can be operated in such a manner as to create a dangerous, injurious, noxious or otherwise objectionable fire, explosion or other hazard; noise or vibration, smoke, dust, dirt or other forms of air pollution; electrical or other disturbance; glare; or other substance, condition or element in such amount as to adversely affect the surrounding area or premises.

2.4.5 Dimensional Standards

A. Minimum Lot Area

There is no minimum lot area requirement in the IC zone.

B. Minimum Yard Setback Requirements. All principal and accessory structures shall maintain the following minimum yard setbacks:

1. No front yard is required.

2. No side yard is required, but if one is provided, it shall not be less than three (3) feet in depth, exclusive of any alley.
3. No rear yard is required, but if one is provided, it shall not be less than three (3) feet in depth, exclusive of any alley.

Commented [SA40]: Comment from Kelly:
Commercial Zoning – There is no minimum setback?

C. Maximum Structure Height

The maximum structure height is 35 feet. Churches or public buildings with a conditional use permit may be constructed to a maximum of 70 feet. Wireless Communication Facilities may, with conditional use permit approval, be built up to 150 feet.

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D. Minimum Lot Width

There is no minimum lot requirement in the IC zone.

E. Special Setbacks

The following special building setbacks shall be maintained.

1. Buildings or structures shall setback an additional one (1) foot from every street and lot line for each foot of height the building exceeds 35 feet.
2. Lots or parcels within the IC zone located adjacent to residential zoned property shall maintain a yard of at least five (5) feet in depth.
3. Accessory structures shall comply with the setback provisions in Chapter 3.8.
4. The distance between buildings on the same lot or parcel shall be ten (10) feet.

2.4.6 Development Standards

All development in the Industrial Commercial (IC) Zone shall comply with the applicable provisions of Chapter 3 of this Code. In addition, the following specific standards shall apply:

A. Design Review.

All new development and expansion of an existing structure or use in the Commercial General Zone shall be subject to the Site Design Review procedures of Chapter 4.2

B. Screening.

Screening shall be required for the following:

1. All outdoor storage areas shall be screened by a six (6) foot sight-obscuring fence or wall.
2. Where a commercial use abuts a residential zone, a six (6) foot sight-obscuring fence or wall shall be installed along the full length of the property line. This requirement shall not cause the placement of a fence or wall in the clear-vision area.

C. Accessory Structures. Accessory structures shall conform to the standards in Chapter 3.8.

D. Signs. Signs shall conform to the requirements of Chapter 3.6.2.

E. Surface (Storm) Water management shall conform to the requirements of Chapter 3.5.

F. Vehicle and Bicycle Parking – see Chapter 3.3.

G. Access and Circulation – see Chapter 3.1.

Chapter 2.5 – Public (P) Zone

Sections:

2.5.1 Purpose

2.5.2 Permitted Uses

2.5.3 Conditional Uses

2.5.4 Dimensional Standards

2.5.5 Development Standards

2.5.6 Special Standards for Certain Uses

2.5.1 Purpose

To provide for the location of public lands, buildings, facilities and uses in a manner that will not unreasonably disrupt or alter areas of the community.

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2.5.2 Permitted Uses

The following uses are permitted in the P zone and subject to a Site Design Review (see Chapter 4.2):

- A. Government offices and facilities (administration, public safety, transportation, utilities, and similar use).
- B. Public outdoor recreation facilities such as parks, swimming pools, golf courses and playgrounds.
- C. Public utility structures and buildings, such as pump stations, communication or transmission towers, reservoirs, electric substations, water and sewage treatment facilities; including office or administrative buildings. Not including Wireless Communication Facilities.
- D. Public open space such as nature preserves, scenic areas or beaches.
- E. Churches and places of worship.
- F. Uses clearly accessory and subordinate to the above.

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2.5.3 Conditional Uses

The following uses are allowed subject to obtaining a conditional use permit and completion of a Site Design Review (See Chapter 4.2):

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- A. Commercial recreational services such as marinas, boating clubs, recreational vehicle or boat rentals, amusement parks, and race tracks.
- B. Fraternal and civic organizational facilities.
- C. Hospitals and overnight clinics.
- D. Private schools, charter schools, and branch educational facilities.
- E. Solid waste disposal and recycling sites and facilities.

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F. Commercial airport.

G. Wireless Communications Facilities

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2.5.4 Dimensional Standards

A. Minimum Lot Area

There is no minimum lot area requirement in the P zone.

B. **Minimum Yard Setback Requirements.** All principal and accessory structures shall maintain the following minimum yard setbacks:

1. No front yard is required.
2. No side yard is required, but if one is provided, it shall not be less than three (3) feet in depth, exclusive of any alley.
3. No rear yard is required, but if one is provided, it shall not be less than three (3) feet in depth, exclusive of any alley.

Commented [SA41]: TAC question: do you want lot area or setback requirements in P zone?

C. Maximum Structure Height

The maximum structure height is 70 feet. Flag poles to display American, State of Oregon, or City of Detroit flags are permitted in the Public Zone, provided they do not exceed a height of 35 feet. Chimneys and antennas may exceed this height provided they do not exceed the height of the principal structure by more than five (5) feet. With conditional use permit approval Wireless Communication Facilities may be constructed up to 150 feet.

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D. Minimum Lot Width

There is no minimum lot requirement in the P zone.

E. Special Setbacks

The following special building setbacks shall be maintained.

1. Buildings or structures shall setback an additional one (1) foot from every street and lot line for each foot of height the building exceeds 35 feet.
2. Lots or parcels within the P zone located adjacent to residential zoned property shall maintain a yard of at least ten (10) feet in depth.
3. Accessory structures shall comply with the setback provisions in Chapter 3.8.
4. The distance between buildings on the same lot or parcel shall be ten (10) feet.

2.6.5 Development Standards

All development in the Public (P) Zone shall comply with the applicable provisions of Chapter 3 of this Code. In addition, the following specific standards shall apply:

A. Design Review

All new development and expansion of an existing structure or use in the Public Zone shall be subject to the Site Design Review procedures of Chapter 4.2.

B. Screening.

Screening shall be required for the following:

1. All outdoor storage areas shall be screened by a six (6) foot sight-obscuring fence or wall.
2. Where a commercial use abuts a residential zone, a six (6) foot sight-obscuring fence or wall shall be installed along the full length of the property line. This requirement shall not cause the placement of a fence or wall in the clear-vision area.

C. Accessory Structures. Accessory structures shall conform to the standards in Chapter 3.8

D. Signs. Signs shall conform to the requirements of Chapter 3.6.2

E. Surface (Storm) Water management shall conform to the requirements of Chapter 3.5

F. Vehicle and Bicycle Parking – see Chapter 3.3.

G. Access and Circulation - see Chapter 3.1.