

Chapter 2 – Land Use Districts

2.0 - Land Use District Administration

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2.0 - Land Use Districts Administration

Sections:

2.0.1 Classification of Land Use Districts

2.0.2 Zoning Map

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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, through a Type II Code Interpretation process (see Chapter 4.8), 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.

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. Duplexes.
- 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 thirteen (13) children complying with the applicable requirement under ORS 329A.
- F. 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.
- G. Residential homes and facilities consistent with the definitional requirements in Chapter 1.3 and 2.1.7(C).
- H. Temporary use of Recreational Vehicles conforming to the regulations in Chapter 3.6.
- I. Tiny Homes that meet the definitional requirements in Chapter 1.3 and the development standards of Chapter 2.1.7(E).

- J. Accessory dwellings that meet the definitional requirements in Chapter 1.3 and the development standards of 2.1.7(B).
- K. Home occupations consistent with the requirements in Chapter 4.9.2.

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).

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. Outdoor plant nursery, including wholesale and retail commercial activities.
- D. Planned unit development, subject to land division provisions in Chapter 4.5.6.
- E. Manufactured home parks, subject to site development standards in Chapter 4.5.4.
- F. Tiny home parks, subject to the definitional requirements in Chapter 1.3 and the development standards for manufactured home parks, Chapter 4.5.4
- G. Boat, camper and trailer storage area on lot consistent with the requirements in Chapter 4.5.3.
- H. Child care facilities serving over 13 children in compliance with ORS 657(A).
- I. Schools (public and private).
- J. Government offices and facilities (administration, public safety, transportation, utilities, and similar use).

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:

- 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.
 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 ;
 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
- 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
- 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 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, except when allowed under Section 2.1.3, 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:

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.
 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:
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.
 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.

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, hobby shop, patio, enclosed or covered patio, fences (over six (6) feet) or garage; provided the requirements in Chapter 3.8 are satisfied.
- G. Churches and places of worship.
- H. Community or neighborhood club buildings.
- I. Residential Homes and Residential Facilities consistent with the definitional requirements in Chapter 1.3 and 2.1.7(C).
- J. Tiny Homes that meet the definitional requirements in Chapter 1.3 and the development standards of Chapter 2.1.7(E).
- K. Accessory dwellings that meet the definitional requirements in Chapter 1.3 and the development standards of 2.1.7(B).

L. Home occupations consistent with the requirements in Chapter 4.9.2.

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. Government offices and facilities (administration, public safety, transportation, utilities, and similar use) consistent with the standards in Chapter 2.1.7(D).
- E. Boat, camper and trailer storage area on lot consistent with the requirements in Chapter 4.5.3.
- F. Child care facilities that serve over 13 children, in compliance with ORS 657A.
- G. Schools, public and private.

2.2.4 Dimensional Standards

A. Minimum Lot Area

- 1. Single Family dwellings: 8,000 square feet
- 2. Duplex: 14,000 square feet
- 3. Multiple familyMultiple 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 5 feet

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.

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.

E. Minimum Lot Width

60 feet

2.2.5 Development Standards

All development in the Residential Multiple 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 multiple 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.

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

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. Non-profit member organizations, such as business associations, labor unions, political organizations or fraternal lodges.
- B. Public automobile parking.
- C. 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.
- D. Professional offices including, but not limited to, medical, dental, engineering and legal services. Veterinary clinics shall not provide on-site services for farm animals.
- E. Banks and other financial institutions.
- F. Hotels and motels.
- G. 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.
- H. Restaurants, drive-ins, taverns, snack shops and other types of eating and drinking establishments, including accessory entertainment facilities. Mobile food units individually and in pods are permitted, subject to the standards of Section 3.5.5.
- I. 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.

- J. Government offices and facilities (administration, public safety, transportation, utilities, and similar use).
- K. Public utility structures and buildings, such as pump stations, reservoirs, and electric substations; but not including wireless communication facilities or office or administrative buildings.
- L. Accessory structures and uses customarily provided for commercial activities subject to Chapter 3.8.
- M. Dwelling units accessory to a permitted use or above a permitted use in accordance with Multiple family Residential (RM) development standards in Chapter 2.2.5.
- N. 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.

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 4.2A).

- 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.
- 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.
- R. Manufacturing of wood products, including sawmills, paper and allied products, and secondary wood products.
- S. Recycling facilities, including outdoor collection bins.
- T. Cement, glass, clay and stone products manufacturing.
- U. Airports and heliport facilities.
- V. Schools, public and private, including day nurseries and daycare centers.

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

C. 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. With conditional use permit approval, Wireless Communication Facilities may be built up to 150 feet.

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

2.3.6 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

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. Lot Coverage and Landscaping

1. Commercial Uses in the Commercial General Zone are not subject to any maximum lot coverage, provided that required landscaping is provided. 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.
2. Landscaping shall be required in accordance with Chapter 3.3.

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

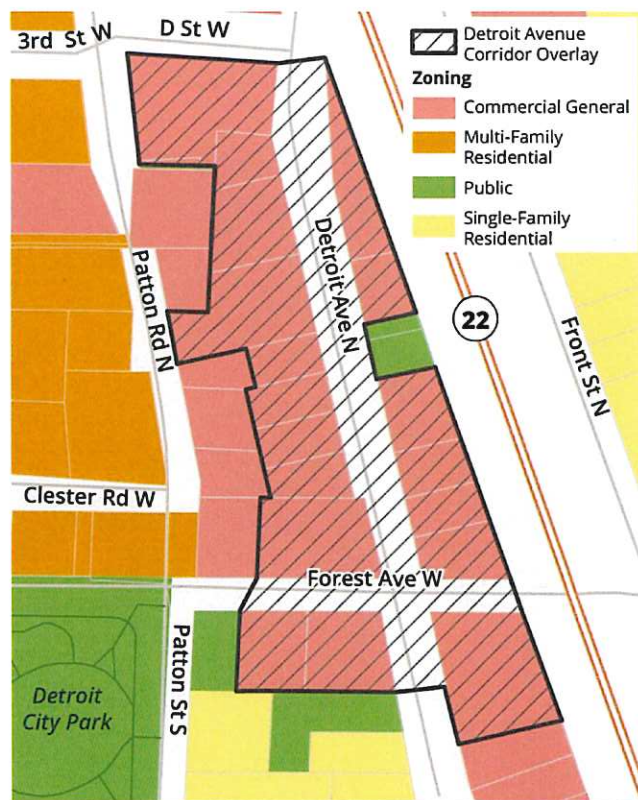
1. All outdoor storage areas shall be screened to the public and/or adjacent properties by a six (6) foot sight-obscuring fence or wall.

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.
- 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.
 - E. Accessory Structures. Accessory structures shall conform to the standards in Chapter 3.4.
 - 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 3.5.2.
 - H. Surface (Storm) Water management shall conform to the requirements of Chapter 3.6.
 - I. Vehicle and Bicycle Parking – see Chapter 3.2.
 - J. Access and Circulation – see Chapter 3.1.

2.3.7 Detroit Avenue Corridor (DAC) Overlay District

All development on parcels in the Detroit Avenue Corridor (DAC) Overlay Zone - as mapped in Figure 2.3.7-1 - shall comply with the following standards:

Figure 2.3.7-1



- A. Purpose. To provide for engaging, vibrant people-oriented development in the heart of Detroit that serves residents and visitors.
- B. Applicability. The development standards in this section are in addition to, and not in lieu of, all other applicable development standards in the Commercial General (CG) zone. Where a development standard in this section conflicts with a development standard applicable in the CG zone, the development standard in this section shall be the applicable development standard.
- C. Permitted Uses. The following uses are the only uses permitted within the Detroit Avenue Corridor (DAC) overlay zone, subject to a Site Design Review in accordance with Chapter 4.2. The following uses supersede the use standards for the CG zone in Sections 2.3.2 through 2.3.4.
1. Hotels and motels.
 2. Dwelling units accessory to a permitted use or above a permitted use.
 3. 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.
 4. Restaurants, taverns, coffee shops, snack shops, and other types of eating and drinking establishments, with the exclusion of drive-ins and drive-throughs. Mobile food units individually and in pods are permitted, subject to the standards of Section 3.5.5.
 5. Service-related businesses such as barber shops, beauty shops, advertising agencies, self-serve laundry, dry cleaning, printing or photocopying, sporting goods repair or rental, or other activities where the primary activity is the providing of a service to retail customers.
 6. Amusement and recreation facilities such as auditoriums, arcades, bowling alleys, miniature golf courses, community center and motion picture theater and stadiums.
 7. Business and professional uses accessory to a permitted use or above a permitted use.
 8. Government offices and facilities (administration, public safety, transportation, utilities, and similar use).
 9. Public automobile parking.
 10. Accessory structures and uses customarily provided for commercial activities subject to Chapter 3.8.

D. Dimensional Standards

The dimensional standards of CG zone in Section 2.3.5 shall apply with the following exceptions:

1. Yard Setback Requirements.
 - a. Front Yards, Yards Adjacent to Streets: Zero (0) feet minimum. Five (5) feet maximum along Detroit Avenue and Forest Avenue, except the setback may be increased to 20 feet when a usable public space with pedestrian amenities such as outdoor seating areas, plazas,

landscaping areas including planters, or other similar features is provided within the setback area.

- b. Side and Rear Yards: Zero (0) feet minimum, except five (5)-foot minimum adjacent to residential zoned property.
2. Minimum Building Height: The minimum building height is 15 feet, excluding accessory structures.
3. Special Setbacks
 - a. Parking areas shall have a minimum front setback and setback adjacent to residential zoned property and Highway 22 of five (5) feet, which shall be landscaped consistent with Section 3.A.3(E)(1) and which may incorporate a wall, fence or hedge for additional buffering provided it complies with the vision clearance requirements. Parking areas shall be exempt from the parking area landscaping requirements in Section 3.A.3(E)(2).
 - b. There shall be no minimum distance between buildings on the same lot or parcel provided any fire code requirements are met.
4. Maximum Floor Area: The maximum floor area shall be 10,000 square feet for each use in a single development. Uses proposing over 10,000 square feet shall require conditional use permit approval. Upper story residential uses shall not be subject to the maximum floor area.

E. Development Standards

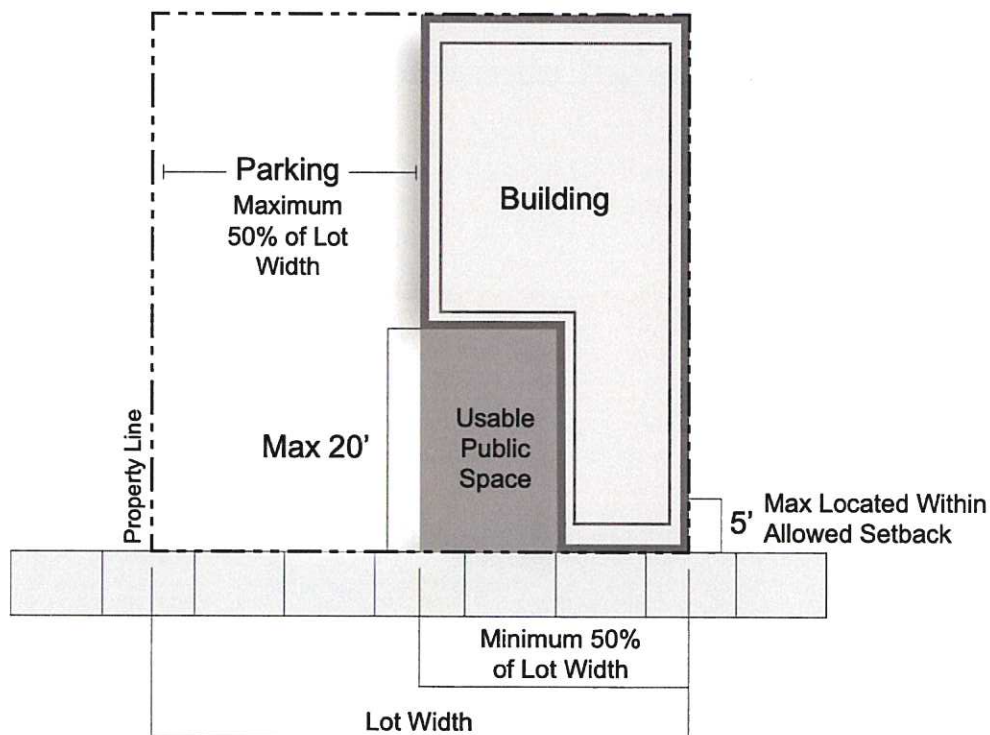
The development standards of the CG zone in Section 2.3.6 shall apply with the following exceptions:

1. Lot Coverage and Landscaping.
 - a. No minimum site landscaping is required within the DAC overlay. Where landscaping is used, it shall be installed and maintained in accordance with Chapter 3.3. Additionally, above-ground planters are permitted and encouraged.
2. Outdoor Display, Sales and Dining. Outdoor display, sale of merchandise, and dining associated with the primary use is permitted and shall be limited to the private property of that primary use. Merchandise shall be limited to items such as cards, plants, floral products, food, books, newspapers, bicycles, and similar small items for sale or rental to pedestrians. Additional standards in Section 2.3.6(D) apply to displays within public right-of-way.
3. Vehicle and Bicycle Parking: The minimum vehicle and bicycle parking standards in Chapter 3.2 do not apply, however, any parking that is provided shall be designed in accordance with Chapter 3.2.
4. Access and Circulation: In addition to the standards of Chapter 3.1, new driveways shall be limited along Detroit Avenue to minimize conflicts with pedestrians and shall only be permitted to serve developments with ten (10) or more off-street parking spaces. All driveways must be approved by the City of Detroit in accordance with Chapter 3.1. Provision for shared driveways and/or cross-access easements may be required with new driveways. Public automobile parking is not subject to this standard.

F. Design Standards.

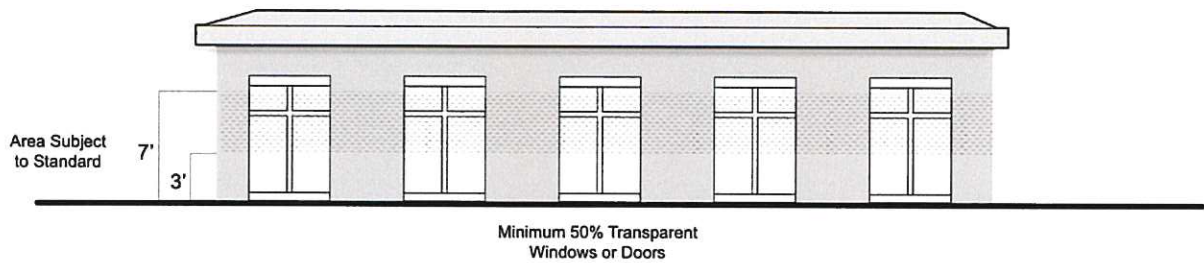
1. Location of Buildings and Parking. Site design shall emphasize the presence of buildings and minimize the visual and physical presence of parking areas.
 - a. Buildings shall be located along the front property line between the minimum and maximum setbacks for at least 50 percent of the lot width, as shown in Figure 2.3.7-2. The maximum setback may be increased to 20 feet when a usable public space with pedestrian amenities such as outdoor seating areas, plazas, landscaping areas including planters or other similar features are provided between the building and the front property line.
 - b. If present, parking areas shall be located to the side or rear of the lot, and shall not exceed 50 percent of the lot width or 50 percent of the lot area, as shown in Figure 2.3.7-2. Parking areas shall not be permitted between the building and the street. Public automobile parking is not subject to this standard.

Figure 2.3.7-2



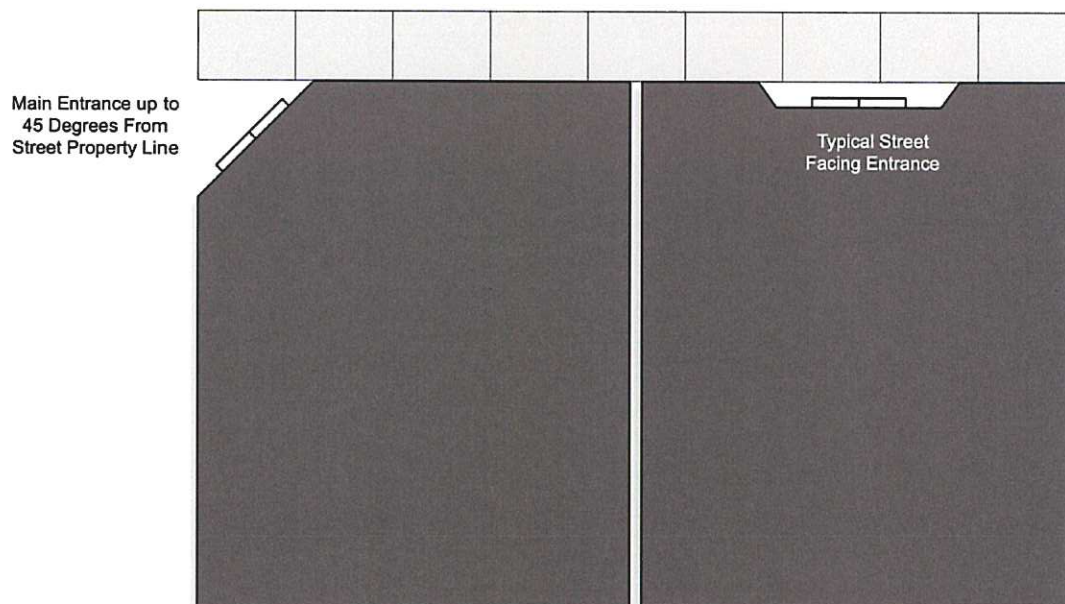
2. Window Coverage. All buildings shall feature significant window coverage at pedestrian eye-level to create connections between the buildings and the street.
 - a. All street-facing façades shall include transparent windows or doors that cover at least 50 percent of the wall area between three (3) to seven (7) feet above grade, as shown in Figure 2.3.7-3.

Figure 2.3.7-3



3. **Main Entrances.** All buildings shall feature a main entrance facing Detroit Avenue or Forest Avenue to create direct pedestrian access.
 - a. Buildings shall have their main entrance oriented to the adjacent street at an angle within 45 degrees of the street property line, as shown in Figure 2.3.7-4. Corner lots may have a main entrance facing onto either street.
 - b. Entrance shall incorporate at least two entryway enhancements including: recessed or projected entry, minimum 50 percent transparency for door(s), distinctive pavers or other technique covering minimum of 25 square feet, planters within five (5) feet of the entrance, transom windows, and/or entrance lighting.

Figure 2.3.7-4



4. **Pedestrian Shelters.** Buildings shall incorporate pedestrian shelters to create welcoming spaces for pedestrians and visual interest along the building façade.

- a. Pedestrian shelters shall be provided along a minimum of 50 percent of the building façade length including over the building's primary entrance(s), as shown in Figure 2.3.7-5.
- b. Features such as canopies, arcades, awnings, roof overhangs, covered porches, alcoves and/or porticoes shall be required with a minimum depth of four (4) feet. Building recesses may also meet this standard.
- c. Features shall be a minimum of eight (8) feet above the finished grade to ensure adequate clearance.

Figure 2.3.7-5



5. Rear Façades. Building facades facing Highway 22 on the east side of Detroit Avenue shall provide a minimum of one of the following façade design technique to prevent blank walls:
 - a. A mural covering a minimum of 50 percent of the wall area.
 - b. Transparent windows or doors that cover at least 25 percent of the wall area between four (4) to eight (8) feet above grade.
 - c. A minimum five (5) foot-wide landscaping buffer, which shall be landscaped consistent with Section 3.A.3(E)(1).
6. Building Materials. Exterior building materials shall convey an impression of strength and durability, including fire resistance.
 - a. Vinyl siding, T-111 and plywood paneling shall be prohibited as exterior building materials.

- b. Stucco, untreated concrete blocks and corrugated metal shall be limited to accent use not exceeding 20 percent of façade area.
- 7. Fences and Walls. Fences and walls shall be constructed of high-quality materials and provide separation where needed without interfering with the pedestrian environment.
 - a. Fences or walls facing Detroit Avenue or Forest 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.
 - b. All other fences and walls shall comply with the standards in Section 3.3.5.
- 8. Alternative Design Review. An applicant may propose an alternative design in lieu of meeting the design standards in this section. The alternative design shall be reviewed through a Type III process in accordance with Section 4.1.5. The applicant shall demonstrate that:
 - a. The proposed design is consistent with the adopted Downtown Detroit Vision Plan;
 - b. The proposed alternative design equally or better meets the intention of the design standards and the purpose of the DAC overlay;
 - c. The proposed design contributes to the pedestrian orientation and experience within the DAC overlay rather than auto-dependent uses or development patterns; and
 - d. The proposed alternative better meets the operational needs or site specifics of the proposed development.
- G. Interim development in Detroit is permitted that can activate downtown and provide services to residents and visitors in more flexible spaces with lower barriers to entry, particularly as the City rebuilds from the 2020 wildfires and remains dependent on septic service.
 - 1. Uses Permitted. Only uses permitted in the DAC overlay in Section 2.3.7(C) are permitted as interim development.
 - 2. Structures Permitted. Temporary trailers or prefabricated buildings are permitted as an alternative to site-built buildings, and are exempt from the Temporary Use standards of Section 4.9.1.
 - 3. Development Standards. Interim development shall be subject to the following standards:
 - a. No structure may be greater than 200 square feet in size or with any dimension greater than 20 feet. Multiple structures may be placed on a site.
 - b. Interim development shall comply with the dimensional standards for the DAC overlay in Section 2.3.7(D), with the exception of the minimum height standard.
 - c. Interim development shall comply with the development standards for the DAC overlay in Section 2.3.7(E).
 - d. Structures shall be located along the front property line between the minimum and maximum setbacks. The maximum setback may be increased to 20 feet when a usable public space with pedestrian amenities such as outdoor seating areas, plazas, landscaping areas including planters or similar features are provided between the structure and the front property line.

- e. Structures shall have an entrance, customer service window, or similar feature facing the front property line. Such features shall be oriented to the adjacent street at an angle within 45 degrees of the street property line.
 - f. Usable public space shall be provided on a portion of the site equal to or greater than the floor area of the interim structures. Such public spaces shall incorporate improvements such as:
 - i. Planters or landscaping areas.
 - ii. Seating areas.
 - iii. Covered areas.
 - iv. Other site amenities such as play areas, fire pits, water fountains, and similar.
 - g. Outdoor storage and accessory items not used by customers, including but not limited to, tanks, barrels, supplies, etc. by screening with a site-obscuring fence or landscaping, or containing them within a small storage shed.
 - h. Areas where structures are placed and areas for vehicle travel must be surfaced with gravel or crushed rock, or paved. Surface Water Management standards of Chapter 3.6 and/or Grading and Erosion Control standards of Chapter 3.9 may apply.
 - i. Off-street parking is not required with interim uses, but if proposed, shall meet the standards of Chapter 3.1. Off-street parking areas shall be located to the side or rear of the lot, and shall not exceed 50 percent of the lot width or 50 percent of the lot area.
 - b. Interim development serving food or beverages shall provide access to restrooms with handwashing facilities on site or within 500 feet, such as at a neighboring business. If located off-site, the restroom must be available during the proposed hours of operation and the applicant shall submit written permission from the business owner where the facility is located. Additionally, trash and recycling receptacles shall be provided on site, and must be emptied and maintained.
4. Review Required. Interim development shall be reviewed through Site Design Review subject to Chapter 4.2, except that interim development shall be exempt from compliance with Chapter 3.8, Public Facilities Standards.
5. Maintenance. Interim uses shall be maintained and any code violations will be subject to the standards of Chapter 1.4, Enforcement.
- a. The exterior surfaces of all structures shall be clean and free from cracks, peeling paint and deterioration, and windows shall not be cracked or broken.
 - b. Tents, canopies or others shelters shall not have tears, mold, or broken or non-functioning supports and shall be securely anchored.
 - c. Landscaping shall be maintained in good condition. If plantings fail to survive, they shall be replaced with equivalent plants.
 - d. Seating and other furnishings shall be maintained in good condition.

- e. The property and all things placed there shall at all times be maintained in a clean and orderly condition. Only those things authorized by the permit and shown in the site plan may be stored on the property.

Chapter 2.4 – Public (P) Zone

Sections:

2.4.1 Purpose

2.4.2 Permitted Uses

2.4.3 Conditional Uses

2.4.4 Dimensional Standards

2.4.5 Development Standards

2.4.6 Special Standards for Certain Uses

2.4.1 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.

2.4.2 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. Public automobile parking.
- F. Churches and places of worship.
- G. 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 completion of a Site Design Review (see Chapter 4.2):

- 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.
- F. Commercial airport.
- G. Wireless Communications Facilities

2.4.4 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.

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.

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.

2.4.5 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.