

Chapter 2.0 - 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 Industrial Commercial (IC) Zone

2.4 Commercial (CG) Zone

2.0 - Land Use Districts Administration

Sections:

2.0.1 Classification of Land Use Zones

2.0.2 Zoning Map

2.0.3 Determination of Land Use Zone Boundaries

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

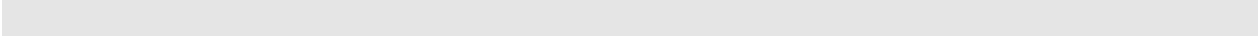
2.0.2 Zoning Map.

- 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. Said map by this reference is made a part of this Land Development Code. A certified print of the adopted zoning map, and any map amendments, shall be maintained by the City.
- 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 zone classification.
- C. Zoning Map Amendments. All amendments to the City land use zoning map shall be made in accordance with the provisions of Chapter 4.6.
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 Zone 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 zoning 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 zone designation that is applicable to lands abutting the vacated area. In cases where the right-of-way formerly served as a land use zone boundary, the lands formerly within the vacated right-of-way shall be allocated proportionately between the subject land use districts/zones.
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Chapter 2.1 - Single-Family Residential (RS) Zone

Sections:

2.1.1 Purpose

2.1.2 Permitted Land Uses

2.1.3 Conditional Uses

2.1.4 Building Setbacks

2.1.5 Lot Area and Dimensions

2.1.6 Development Standards

2.1.7 Special Standards for Certain Uses

2.1.1 Purpose

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 Low Density Residential Comprehensive Plan designation.

2.1.2 Permitted Land Uses

The following land uses are permitted in the Single-Family Residential Zone, subject to the provisions of this Chapter. Only land uses which are specifically listed, and land uses which are approved as “similar” to those listed below, may be permitted. Similar use determinations shall be made in conformance with the procedures in Chapter 4.7 - Interpretations.

- A. Single-family dwelling, including manufactured homes subject to the standards of Section 2.1.7, “Special Standards for Certain Uses.”
- B. Single-family detached zero-lot line, subject to the standards of Section 2.1.7.
- C. Duplexes, subject to the standards of Section 2.1.7.
- D. Home Occupations, subject to the provisions of Chapter 4.8.
- E. Accessory Uses and Structures, subject to the provisions of Section 2.1.7.

2.1.3 Conditional Uses

The following uses are permitted as conditional uses, provided that such uses are approved in accordance with Section 2.1.7 and Chapter 4.4.

- A. Schools (public and private).
- B. Public parks and recreational facilities.
- C. Churches and places of worship.

- D. Government offices and facilities (administration, public safety, transportation, utilities, and similar use).
- E. Bed and Breakfast Inns
- F. Group or Residential Care Homes and Facilities subject to the standards of Section 2.1.7.D
- G. Telecommunications equipment (including wireless)
- H. Day Care Facility

2.1.4 Building Setbacks

Building setbacks provide space for private yards and building separation for fire protection/security, building maintenance, sun light and air circulation. Building setbacks are measured from the edge of the buildings foundation or footprint to the respective property line. The setback standards, as listed below, apply to primary structures as well as accessory structures. A variance is required in accordance with Chapter 5.1 to modify any setback standard.

A. Front Yard and Yard Adjacent to Streets Setbacks

1. Residential Uses (single family and duplex housing types)

A minimum setback of 20 feet is required.

2. Public and Institutional Buildings

- a. A minimum front setback is not required, except as necessary to comply with the vision clearance standards in Chapter 3.1., Section 2.
- b. A maximum setback of 10 feet is required. This standard is met when a minimum of 50% of the front building elevation is placed 5 feet or closer to the front property line. On parcels with more than one building, this standard applies to the largest building. The maximum setback standard shall not be required for buildings that do not receive the public (e.g., buildings used solely for storage or housing mechanical equipment, and similar uses).

B. Rear Yard Setbacks

The minimum rear yard setback shall be 15 feet for street-access lots, and 5 feet for alley-access lots (all structures).

C. Side Yard Setbacks

The minimum side yard setback shall be 5 feet on interior side yards, and 10 feet on street corner yards; or when zero-lot line development is permitted, the minimum side yard setbacks shall be 10 feet minimum on one side of the dwelling unit, and no setback required on the opposite side. (See standards for zero-lot line housing in Section 2.1.7.)

D. Setback Exceptions

The following architectural features are allowed to encroach into the setback yards: Eaves, chimneys, bay windows, overhangs, and similar architectural features may encroach into setbacks by no more than 3 feet. Porches, decks and similar structures not exceeding 3 feet in height may encroach into setbacks by no more than 6 feet, subject to the front yard setback provisions in “A.” Walls and fences may be placed on property lines, subject to the standards in Chapter 3.2 - Landscaping, Fences and Walls. Walls and fences within front yards shall additionally comply with the vision clearance standards in Chapter 3.1, Section 2.

E. Special Yards - Distance Between Buildings on the Same Lot

To provide usable yard area and allow air circulation and light, the minimum distance between buildings on the same lot shall be at least ½ the sum of the height of both buildings; provided, however, that in no case shall the distance be less than 10 feet. This requirement shall also apply to portions of the same buildings separated from each other by a court, landscape yard, or other open space.

2.1.5 Lot Area and Dimensions

A. Minimum Lot Area

1. Single-Family Dwellings: 8,000 square feet
2. Duplex: 12,000 square feet
3. Public and Institutional Uses: Lot area shall be adequate to contain all proposed structures within the required yard setbacks.

B. Minimum Lot Width

1. Single-Family Dwellings: 20 feet at front property line, except for flag lots and lots served by private lanes.
2. Duplex: 50 feet at front property line, except for flag lots and lots served by private lanes.
3. Public and Institutional Uses: 50 feet at front property line

C. Maximum Structure Height

Buildings within the Single Family Residential (RS) Zone shall be no more than 35 feet or 2 stories in height, whichever is greater.

2.1.6 Development Standards

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

Maximum Lot Coverage

“Lot Coverage” means all areas of a lot or parcel covered by buildings (as defined by foundation perimeters) and other structures with surfaces greater than 36 inches above finished grade. The following maximum lot coverage standards shall apply to all:

1. Single-Family Detached Houses: 35%
2. Duplex: 40%
3. Public/Institutional Uses: 80%

Compliance with other sections of this Code may preclude development of the maximum lot coverage for some land uses.

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. “Zero-lot line” (single family courtyard home). “Zero-lot line” houses are subject to the same standards as single family housing, except that a side yard setback is not required on one side of a typical lot. This type of housing is permitted to allow development on smaller (i.e., narrower) lots and still provide usable outdoor living area in side-oriented courtyards. The following standards are intended to promote compatibility and privacy between adjacent buildings and allow for building maintenance:

1. **Setbacks Adjacent to Non-Zero Lot Line Development.** When a zero-lot line house shares a side property line with a non-zero lot line development, the zero-lot line building shall be setback from the common property line by a minimum of 5 feet;
2. **Construction and Maintenance Easement.** Prior to building permit approval, the applicant shall submit a copy of a recorded easement for every zero-lot line house that guarantees rights for the purpose of construction and maintenance of structures and yards. The easement shall stipulate that no fence or other obstruction shall be placed in a manner that would prevent maintenance of structures on the subject lot; and
3. **Buffering.** The building placement, landscaping, and/or design of windows shall provide a buffer for the occupants of abutting lots. For example, this standard is met by placing ground-floor windows (along the zero setback) above sight lines with direct views into

adjacent yards, or by directing views away from yards (e.g., bay window), or by using frosted/non-see-through windows, as necessary.

B. Manufactured homes on individual lots. Manufactured homes are permitted on individual lots, subject to all of the following design standards, consistent with ORS 197.307(5). Exception: The following standards do not apply to units which existed within the City prior to the effective date of this Code.

1. **Floor Plan.** The manufactured home shall be multi-sectional and have an enclosed floor area of not less than 1,000 square feet;
2. **Roof.** The manufactured home shall have a pitched roof with a slope not less than 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. **Garages and Carports.** The manufactured home shall have a garage or carport constructed of like materials when nearby residences have carports or garages. The City may require an attached or detached garage where that would be consistent with the predominant construction of immediately surrounding residences;
5. **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 manufacturers certification shall not be required.
6. **Placement.** The manufactured home shall be placed on an excavated and back-filled foundation 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 stated 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;
7. **Foundation Skirt.** The foundation area of the manufactured home shall be fully skirted; and
8. **Prohibited.** The manufactured home shall not be located in a designated historic district.

C. Duplexes. Duplex developments shall comply with the standards in 1-3, below. The standards are intended to control development scale; avoid or minimize impacts associated with traffic, parking, and design compatibility; and ensure proper management and maintenance of common areas.

1. **Alley Access.** Duplex subdivisions (4 or more lots) shall receive vehicle access only from a rear alley. Alley(s) shall be created at the time of subdivision approval, in accordance with Chapter 3.4, Section 1 - Transportation Standards, and Chapter 4.3 - Land Divisions. Alleys are not required when existing development patterns or topography make construction of an alley impracticable (See #2 for standards).
2. **Street Access Developments.** Duplexes receiving access directly from a public or private street shall comply with all of the following standards in order to minimize interruption of adjacent sidewalks by driveway entrances, slow traffic, improve appearance of the streets, and minimize paved surfaces for better storm water management.
 - a. When garages face the street, they shall be recessed behind the front elevation (i.e., living area or covered front porch) by a minimum of 4 feet.
 - b. The maximum allowable driveway width facing the street is 15 feet per dwelling unit. The maximum combined garage width per unit is 50% of the total building width. For example, a 24-foot wide unit may have one, 12-foot wide recessed garage facing the street.
 - c. Two adjacent garages shall share one driveway when individual driveways would otherwise be separated by less than 20 feet (i.e., the width of one, on-street parking space). When a driveway serves more than one lot, the developer shall record an access and maintenance easement/agreement to benefit each lot, prior to building permit issuance.
3. **Common Areas.** "Common areas" (e.g., landscaping in private tracts, shared driveways, private alleys, and similar uses) shall be maintained by a homeowners association or other legal entity. A homeowners association may also be responsible for exterior building maintenance. A copy of any applicable covenants, conditions and restrictions ("CC&R") shall be recorded and provided to the City prior to building permit approval.

D. Group or 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 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 - Parking requirements.
3. **Development Review.** Development 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.

E. 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 that 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 3.6, Section 2.
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 6 feet in height.

F. Accessory Uses and Structures. Accessory uses and structures are of a nature customarily incidental and subordinate to the principal use or structure on the same lot. Typical accessory structures in the RS Zone include detached garages, sheds, workshops, green houses and similar structures. All accessory structures shall comply with all of the following standards:

1. **Primary use required.** An accessory structure shall not be allowed without another permitted use (e.g., as listed in Section 2.1.2).
2. **Restrictions.** A structure shall not be placed over an easement that prohibits such placement. No structure shall encroach into the public right-of-way.
3. **Compliance with land division standards.** The owner may be required to remove an accessory structure as a condition of land division approval when removal of the structure is necessary to comply with setback standards.
4. **Floor Area.** The maximum floor area of the accessory structure shall not exceed the square footage of the primary structure and shall not exceed 35% of lot coverage.
5. **Building Height.** The building height of detached accessory structures shall not exceed 30 feet.
6. **Buffering.** A minimum 4-foot hedge or fence shall be required to screen the accessory structure from dwellings on adjacent lots unless a similar screen is provided, or the distance to adjacent dwelling(s) is greater than 50 feet.

Chapter 2.2 - Multi-Family Residential (RM) Zone

Sections:

2.2.1 Purpose

2.2.2 Permitted Land Uses

2.2.3 Conditional Uses

2.2.4 Building Setbacks

2.2.5 Lot Area and Dimensions

2.2.6 Development Standards

2.2.7 Special Standards for Certain Uses

2.2.1 Purpose

The Multi-Family Residential (RM) Zone is intended to provide opportunities for higher density housing at a density no greater than 8 units per acre. The RM Zone is consistent with the Residential Comprehensive Plan designation.

2.2.2 Permitted Land Uses

The following land uses are permitted in the RM Zone, subject to the provisions of this Chapter. Only land uses which are specifically listed, and land uses which are approved as “similar” to those listed below, may be permitted. Similar use determinations shall be made in conformance with the procedures in Chapter 4.7 - Interpretations.

- A. Duplex dwelling
- B. Multi-family dwellings, Manufactured Home Parks subject to the provisions of Section 2.2.7, “Special Standards for Certain Uses.”
- C. Single-family dwelling, including manufactured homes subject to the standards of Section 2.1.7, “Special Standards for Certain Uses.”
- D. Single-family detached zero-lot line, subject to the standards of Section 2.1.7.
- E. Home Occupations, subject to the provisions of Chapter 4.8.
- F. Accessory Uses and Structures, subject to the provisions of Section 2.1.7

2.2.3 Conditional Uses

The following uses are permitted as conditional uses, provided that such uses are approved in accordance with Section 2.1.7 and Chapter 4.4.

- A. Schools (public and private).
- B. Public parks and recreational facilities.

- C. Churches and places of worship.
- D. Government offices and facilities (administration, public safety, transportation, utilities, and similar use).
- E. Bed and Breakfast Inns
- F. Group or Residential Care Homes and Facilities subject to the standards of Section 2.1.7.D.
- G. Day Care Facilities
- H. Telecommunications equipment (including wireless)

2.2.4 Building Setbacks

Building setbacks provide space for private yards, and building separation for fire protection/security, building maintenance, sun light and air circulation. Building setbacks are measured from the edge of the buildings foundation or footprint to the respective property line. The setback standards, as listed on the following page and illustrated above, apply to primary structures as well as accessory structures. A variance is required in accordance with Chapter 5.1 to modify any setback standard.

A. Front Yard Setbacks

1. One to three residential units
 - a. A minimum setback of 10 feet is required, except that an unenclosed porch may be within 8 feet, as long as it does not encroach into a public utility easement.
 - b. Garages and carports shall be accessed from alleys or otherwise recessed behind the front building elevation by minimum or 4 feet. Alternatively, garage and carport entrances may be built flush with the front building elevation when the building is set back by at least 20 feet
2. Four or more residential units
 - a. A minimum setback of 15 feet is required, except that an unenclosed porch may be within 8 feet, as long as it does not encroach into a public utility easement.
 - b. Garages and carports shall be accessed from alleys or otherwise recessed behind the front building elevation by minimum or 4 feet. Alternatively, garage and carport entrances may be built flush with the front building elevation when the building is set back by at least 20 feet
3. Public and Institutional Buildings
 - a. A minimum front setback is not required, except as necessary to comply with the vision clearance standards in Chapter 3.1, Section 2.

- b. A maximum setback of 10 feet is required. This standard is met when a minimum of 50% of the front building elevation is placed 5 feet or closer to the front property line. On parcels with more than one building, this standard applies to the largest building. The maximum setback standard shall not be required for buildings that do not receive the public (e.g., buildings used solely for storage or housing mechanical equipment, and similar uses).

B. Rear Yard Setbacks

The minimum rear yard setback shall be 10 feet for street-access lots, and 6 feet for alley-access lots (all structures).

C. Side Yard Setbacks

The minimum side yard setback shall be 5 feet on interior side yards, and 15 feet on street corner yards; or when zero-lot line development is permitted, the minimum side yard setbacks shall be 10 feet minimum on one side of the dwelling unit, and no setback required on the opposite side. (See standards for zero-lot line housing in Section 2.1.7.

D. Setback Exceptions

The following architectural features are allowed to encroach into the setback yards: Eaves, chimneys, bay windows, overhangs, and similar architectural features may encroach into setbacks by no more than 3 feet. Porches, decks and similar structures not exceeding 3 feet in height may encroach into setbacks by no more than 6 feet, subject to the front yard setback provisions in “A.” Walls and fences may be placed on property lines, subject to the standards in Chapter 3.2 - Landscaping, Fences and Walls. Walls and fences within front yards shall additionally comply with the vision clearance standards in Chapter 3.1, Section 2.

E. Special Yards - Distance Between Buildings on the Same Lot

To provide usable yard area and allow air circulation and light, the minimum distance between buildings on the same lot shall be at least ½ the sum of the height of both buildings; provided, however, that in no case shall the distance be less than 10 feet. This requirement shall also apply to portions of the same buildings separated from each other by a court, landscape yard, or other open space.

2.2.5 Lot Area and Dimensions

A. Minimum Lot Area

- 1. Single-Family Dwellings: 8,000 square feet
- 2. Duplex: 12,000 square feet
- 3. Multi-family dwelling, 3 unit: 15,000 square feet, plus 2,000 square feet per unit in excess of 3 units

4. Public and Institutional Uses: Lot area shall be adequate to contain all proposed structures within the required yard setbacks.

B. Minimum Lot Width

1. Single-Family Dwellings: 20 feet at front property line, except for flag lots and lots served by private lanes.
2. Duplex and Multi-Family: 50 feet at front property line, except for flag lots and lots served by private lanes.
3. Public and Institutional Uses: 50 feet at front property line

C. Maximum Structure Height

Buildings within the Multi-Family Residential (RM) Zone shall be no more than 45 feet or 3 stories in height, whichever is greater.

2.2.6 Development Standards

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

A. Maximum Lot Coverage

“Lot Coverage” means all areas of a lot or parcel covered by buildings (as defined by foundation perimeters) and other structures with surfaces greater than 36 inches above finished grade. The following maximum lot coverage standards shall apply to all:

1. Maximum building coverage: 45%
2. Maximum parking area coverage: 30%
3. Combined maximum building and parking area coverage: 75%

Compliance with other sections of this Code may preclude development of the maximum lot coverage for some land uses.

2.2.7 Special Standards for Certain Uses

This section supplements the standards contained in Sections 2.2.1 through 2.2.6. It provides standards for the following land uses in order to control the scale and compatibility of those uses within the RM Zone:

A. Manufactured Home Park. Manufactured home parks are permitted on parcels of one acre or larger, subject to compliance with subsection 1-5, below:

1. Permitted uses. Single family residences, manufactured home park manager’s office, home occupations, and accessory structures which are necessary for the operation and

maintenance of the manufactured home park (e.g., landscape maintenance). Home occupations shall comply with Chapter 4.8, Section 2 -Home Occupations.

2. **Space.** The minimum size pad or space for each home is 2,500 square feet, provided that the overall density of the park does not exceed 12 units per acre. Each space shall be at least 30 feet wide and 40 feet long, in accordance with ORS 446.100(c).
3. **Setbacks and Building Separation.** The minimum setback between park structures and abutting properties is 5 feet. The minimum setback between park structures and public street right-of-way is 15 feet. At least a 10-foot separation shall be provided between all dwellings. Dwellings shall be placed a minimum of 14 feet apart where flammable or combustible fuel is stored between units. Park structures shall be placed no closer than 5 feet to a park street or sidewalk/pathway. An accessory structure shall not be located closer than 6 feet to any other structure or dwelling, except that a double carport or garage may be built which serves 2 dwellings. When a double carport/garage is built, the carport/garage shall be separated from all adjacent structures by at least 3 feet.
4. **Perimeter landscaping.** When manufactured homes are oriented with their back or side yards facing a public right-of-way, the City may require installation of fencing and planting of a 6-foot wide landscape buffer between the right-of-way and a manufactured home park for the privacy and security of residents or aesthetics of the streetscape.
5. **House design (parks smaller than 3 acres).** Manufactured homes in parks smaller than 3 acres shall meet the following design standards, consistent with ORS 197.314(6):
 - a. The manufactured home shall have a pitched roof with a slope not less than 3 feet in height for each 12 feet in width (14 degrees);
 - b. 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);
 - c. Exception: Subsections a-b, above, do not apply to manufactured homes which existed within the City prior to the effective date of this Code.

B. Multi-family housing. Multi-family housing is allowed within the Multi-Family Residential (RM) Zone. Multi-family housing means housing that provides more than 2 dwellings on an individual lot (e.g., multiplexes, apartments, condominiums, etc.). New multi-family developments shall comply with all of the following standards:

1. **Building Mass Supplemental Standard.** Within the RM Zone, the maximum width or length of a multiple-family building shall not exceed 120 feet.
2. **Common Open Space Standard.** Inclusive of required setback yards, a minimum of 15% of the site area shall be designated and permanently reserved as usable common open space in all multiple-family developments. The site area is defined as the lot or parcel on which the development is planned, after subtracting any required dedication of street right-of-way and

other land for public purposes (e.g., public park or school grounds, etc.). Sensitive lands and historic buildings or landmarks open to the public and designated by the Comprehensive Plan may be counted toward meeting the common open space requirements.

3. Private Open Space Standard. Private open space areas shall be required for ground-floor and upper-floor housing units based on all of the following standards:
 - a. A minimum of 50% of all ground-floor housing units shall have front or rear patios or decks measuring at least 48 square feet. Ground-floor housing means the housing unit entrance (front or rear) is within 5 feet of the finished ground elevation (i.e., after grading and landscaping);
 - b. A minimum of 50% of all upper-floor housing units shall have balconies or porches measuring at least 20 square feet. Upper-floor housing means housing units which are more than 5 feet above the finished grade; and
 - c. Private open space areas shall be oriented toward open space areas and away from adjacent single-family residences, trash receptacles, parking and drives to the greatest extent practicable.
4. Exemptions. Exemptions to the common open space standard may be granted for multi-unit developments of up to 5 units. Exemptions may be granted for the first 5 units of a larger project when these developments are within one-quarter mile (measured walking distance) of a public park; and there is a direct, accessible (i.e., Americans With Disabilities Act-compliant), lighted, and maintained pedestrian trail or sidewalk between the site and the park. An exemption shall be granted only when the nearby park provides active recreation areas such as play fields, children's play area, sports courts, walking/fitness course, or similar facilities.
5. Trash receptacles. Trash receptacles shall be oriented away from adjacent residences and shall be screened with an evergreen hedge or solid fence or wall of not less than 6 feet in height.

Chapter 2.3 - General Commercial (CG) Zone

Sections:

2.3.1 Purpose

2.3.2 Permitted Land Uses

2.3.3 Conditional Uses

2.3.4 Limitations on Use

2.3.5 Building Setbacks

2.3.6 Lot Area

2.3.7 Development Standards

2.3.8 Special Standards for Certain Uses

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 Land 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. Pre-schools, nurseries and kindergartens
- B. Non-profit member organizations, such as business associations, labor unions, political organizations or fraternal lodges
- C. Government offices and facilities (administration, public safety, transportation, utilities, and similar uses)
- 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. Personal and professional services (e.g., day care facility, catering/food services, restaurants, laundromats and dry cleaners, barber shops and salons, banks and financial institutions, and similar uses)
- F. Greenhouse and garden supply
- 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, and other types of retail activities

- H. Amusement and recreation related businesses such as bowling alleys, miniature golf, pool halls, motion picture theaters, video arcades, and other types of amusement and recreational businesses
- I. Hotels/motels
- J. Restaurants
- K. Residences which are located on the second story above a permitted use commercial building.
- L. Commercial and Multi-family mixed uses subject to the provisions of Section 2.3.8.
- M. Single Family Dwelling.

2.3.3 Conditional Land Uses

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

- A. Auto-oriented uses and facilities (repair services must be enclosed within building)
- B. Lumber yard and contracting supplies for lumber, stone, masonry or metal (sales only)
- C. Special trade contracting facilities, such as floor laying, building equipment, masonry and stone, plumbing, electrical, metal work or painting
- D. Welding shop and blacksmith where activities are conducted wholly within a building
- E. Newspaper, periodical, publishing and printing
- F. Veterinary clinics
- G. Commercial/Multi-Family Mixed Uses

2.3.4 Limitations on Use

- A. All businesses, services, processing, or merchandise displays shall be conducted wholly within an enclosed building except for the following:
 - 1. Off-street parking and loading
 - 2. Drive-through windows or service stations
 - 3. 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
 - 4. Business which, in all cases, require outdoor storage of merchandise, e.g., automobile, RV sales lots, or gas stations

- B. Not more than 50% of the floor area of the building and not more than 25% of the lot area of the commercial enterprise shall be used in the manufacturing, processing, or compounding of products.

2.3.5 Building Setbacks

A. Front Yard Setbacks

1. **Minimum Setback.** There is no minimum front yard setback required.
2. **Maximum Setback.** The maximum allowable front yard setback is 10 feet. This standard is met when a minimum of 50% of the front building elevation is placed no more than 10 feet back from the front property line. On parcels with more than one building, this standard applies to the largest building. The setback standard may be increased when a usable public space with pedestrian amenities (e.g., extra-wide sidewalk, plaza, pocket park, outdoor dining area or town square with seating) is provided between the building and front property line.

B. Rear Yard Setbacks

1. **Minimum Setback.** The minimum rear yard setback for all structures shall be 0 feet for street-access lots, and 6 feet for alley-access lots (distance from building to rear property line or alley easement) in order to provide space for parallel parking.
2. **Through-Lots.** For buildings on through-lots (lots with front and rear frontage onto a street), the front yard setbacks in “A” shall apply.

- C. **Side Yard Setbacks.** There is no minimum side yard setback required, except that buildings shall conform to the vision clearance standards in Chapter 3.1 and the applicable fire and building codes for attached structures, fire walls, and related requirements.

- D. **Setback Exceptions.** Eaves, chimneys, bay windows, overhangs, cornices, awnings, canopies, porches, decks, pergolas, and similar architectural features may encroach into setbacks by no more than 4 feet, subject to compliance with applicable standards of the Uniform Building Code and Uniform Fire Code. Walls and fences may be placed on the property line, subject to the requirements of Chapter 3.2 - Landscaping, Fences and Walls.

2.3.6 Lot Area. There is no minimum lot area in the General Commercial Zone.

2.3.7 Development Standards. All developments in the General Commercial Zone shall comply with the applicable provisions of Chapter 3 - Design Standards. In addition, the following specific standards shall apply:

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

B. Landscaping. All development in the General Commercial Zone shall provide a minimum landscaped area equal to 10% of the gross site area. Landscaping improvements shall be installed and maintained in all yard areas in accordance with Chapter 3.2.

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

1. All outdoor storage areas shall be screened by a 6-foot sight obscuring fence or wall.
2. Where a commercial use abuts a residential zone, a 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.

2.3.8 Special Standards for Certain Uses

This section supplements the standards contained in Section 2.3.1 through 2.3.7. It provides standards for the following land uses in order to control the scale and compatibility of those within the Residential Zones:

- Automobile-Oriented Uses and Facilities
- Sidewalk Displays
- Commercial/Multi-Family Mixed Uses

A. Automobile-Oriented Uses and Facilities. Automobile-oriented uses and facilities, as defined below, shall conform to all of the following standards in the General Commercial Zone.

1. Automobile-Oriented Uses. “Automobile-oriented use” means automobiles and/or other motor vehicles are an integral part of the use. These uses are restricted because, when unrestricted, they can consume large amounts of land relative to other permitted uses. Automobile-oriented uses shall comply with the following standards:
 - a. Vehicle repair, sales, rental, storage, service. Businesses that repair, sell, rent, store, or service automobiles, trucks, motorcycles, buses, recreational vehicles/boats, construction equipment, and similar vehicles and equipment are permitted when the use is contained within an enclosed building.
 - b. Drive-up, drive-in, and drive-through facilities. Drive-up, drive-in, and drive-through facilities (e.g., associated with restaurants, banks, car washes, and similar uses) are permitted only when accessory to a primary commercial “walk-in” use, and shall conform to all of the following standards:
 1. The facility receives access from an alley or driveway, and not a street;
 2. None of the drive-up, drive-in or drive-through facilities (e.g., driveway queuing areas, windows, teller machines, service windows, drop-boxes, and similar facilities) are located within 20 feet of a street and shall not be oriented to a street corner. (Walk-up only teller machines and kiosks may be oriented to a corner);

3. The facility is subordinate to a primary permitted use. "Subordinate" means all components of the facility, in total, occupy less street frontage than the primary commercial or public/institutional building; and
4. No more than one drive-up, drive-in, or drive-through facility shall be permitted on one block, or for a distance of 400 linear feet along the same street frontage, whichever is less.

B. Sidewalk Displays. Sidewalk display of merchandise and vendors shall be limited to cards, plants, gardening/floral products, food, books, newspapers, bicycles, and similar small items for sale or rental to pedestrians (i.e., non-automobile oriented). A minimum clearance of 4 feet shall be maintained. Display of larger items, such as automobiles, trucks, motorcycles, buses, recreational vehicles/boats, construction equipment, building materials, and similar vehicles and equipment, is prohibited.

C. Commercial/Multi-Family Mixed Uses. Commercial/Multi-Family mixed uses are permitted to encourage housing near employment, shopping and services. All residential developments shall comply with the standards in 1-6, below, which are intended to required mixed use development; conserve the community's supply of commercial land for commercial uses; provide for designs which are compatible with a storefront character; avoid or minimize impacts associated with traffic and parking; and ensure proper management and maintenance of common areas. Residential uses which existed prior to the effective date of this Code are exempt from this Section.

1. **Density.** There is no minimum or maximum residential density standard. Density shall be controlled by the applicable lot coverage and building height standards.
2. **Parking, Garages, and Driveways.** All off-street vehicle parking, including surface lots and garages, shall be oriented to alleys, placed in structures above the ground floor, or located in parking areas behind or to the side of the building; except that side yards facing a street (i.e., corner yards) shall not be used for surface parking. All garage entrances facing a street (e.g., structured parking) shall be recessed behind the front building elevation by a minimum of 4 feet. On corner lots, garage entrances shall be oriented to a side street (i.e., away from 3rd Street) when access cannot be provided from an alley.
3. **Creation of Alleys.** When a subdivision is proposed, a public or private alley shall be created for the purpose of vehicle access. Alleys are not required when existing development patterns or topography make construction of an alley impracticable. As part of a subdivision, the City may require dedication of right-of-way or easements, and construction of pathways between lots (e.g., between building breaks) to provide pedestrian connections through a development site, in conformance with Chapter 3.1 - Access and Circulation.
4. **Common Areas.** All common areas (e.g., walkways, drives, courtyards, private alleys, parking courts, etc.) and building exteriors shall be maintained by a homeowners association or other legal entity. Copies of any applicable covenants, restrictions and conditions (CC&Rs) shall be recorded and provided to the City prior to building permit approval.

Chapter 2.4 - Industrial Commercial (IC) Zone

Sections:

2.4.1 Purpose

2.4.2 Permitted Land Uses

2.4.3 Prohibited Land Uses

2.4.4 Development Setbacks

2.4.5 Lot Coverage

2.4.6 Building Height

2.4.7 Special Standards for Certain Uses

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 Land Uses

All land uses shall conform to the standards for “High Traffic-Generating Uses” when required by Section 2.4.7.

- A. Public utility and public service installations, including repair and storage facilities and personal wireless service facilities.
- B. 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.
- C. Automobile-oriented uses (vehicle repair, sales, rental, storage, service; and drive-up, drive-in, and drive-through facilities)
- D. Entertainment (e.g., theaters, amusement uses)
- E. Hotels/motels
- F. Medical and dental clinics and laboratories
- G. Outdoor commercial uses (e.g., outdoor storage and sales)

- H. Personal and professional services (e.g., child care, catering/food services, restaurants, laundromats and dry cleaners, barber shops and salons, banks and financial institutions, and similar uses)
- I. Special district facilities (e.g., irrigation district, and similar facilities)
- J. Vocational schools
- K. Uses similar to those listed above

2.4.3 Prohibited Land Uses

The following uses are expressly prohibited:

- A. New housing
- B. Churches and similar facilities
- C. Non-vocational schools
- D. Rendering plants
- E. Wrecking, demolition, junk yards, including recycling firms
- F. Any other use which is or can be operated in such a manner as to create a dangerous, injurious, noxious or otherwise objectionable fire, explosive 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.

2.4.4 Development Setbacks

Development setbacks provide building separation for fire protection/security, building maintenance, sun light and air circulation, noise buffering, and visual separation. Building setbacks are measured from the building foundation to the respective property line.

- A. Front Yard Setbacks. The minimum front yard building setback shall be 10 feet, except that additional setback yards may be required to provide for planned widening of an adjacent street.
- B. Rear Yard Setbacks. There is no required rear yard setback, except that buildings shall be set back from the Residential zones by a minimum of 20 feet.
- C. Side Yard Setbacks. There are no required side-yard setbacks, except that buildings shall be setback from the Residential zones by a minimum of 20 feet.
- D. Other Yard Requirements.
 - 1. Buffering. A 20-foot minimum buffer zone shall be required between development and any adjacent Residential zone. The buffer zone shall provide landscaping to

screen parking, service and delivery areas, and walls without windows or entries, as applicable. The buffer may contain pedestrian seating but shall not contain any trash receptacles or storage of equipment, materials, vehicles, etc. The landscaping standards in Chapter 3.2 may require buffering other situations, as well.

2. **Neighborhood Access.** Construction of pathway(s) and fence breaks in setback yards may be required to provide pedestrian connections to adjacent neighborhoods or other districts, in accordance with Chapter 3.1 - Access and Circulation Standards.
3. **Building and Fire Codes.** All developments shall meet applicable fire and building code standards, which may require setbacks different from those listed above (e.g., combustible materials, etc.)

2.4.5 Lot Coverage

The maximum allowable lot coverage in the Industrial Commercial Zone is 80%. The maximum allowable lot coverage is computed by calculating the total area covered by buildings and impervious (paved) surfaces, including accessory structures. Compliance with other sections of this Code may preclude development of the maximum lot coverage for some land uses.

2.4.6 Building Height

The following building height standards are intended to promote land use compatibility and flexibility for industrial development at an appropriate community scale:

- A. **Base Requirement.** Buildings shall be no more than 3 stories or 45 feet in height, whichever is greater.
- B. **Performance Option.** The development approval may require additional setbacks, stepping-down of building elevations, visual buffering, screening, and/or other appropriate measures to provide a height transition between the development and adjacent non-industrial development. Roof equipment and other similar features which are necessary to the industrial operation shall be screened, and may not exceed 10 feet in height without approval of a Conditional Use Permit.
- C. **Method of Measurement.** “Building height” is measured at the vertical distance above a reference datum measured to the highest point of the coping of a flat roof or to the deck line of a mansard roof or to the average height of the highest gable of a pitched or hipped roof. The reference datum is the elevation of the highest adjoining sidewalk or ground surface within a 5-foot horizontal distance of an exterior wall of the building when such sidewalk or ground surface is not more than 10 feet above the lowest grade.

2.4.7 Special Standards for Certain Uses

A. High Traffic-Generating Uses.

Uses which are likely to generate “significant” levels of vehicle traffic (e.g., due to shipping, receiving, and/or customer traffic) shall require a Conditional Use Permit, in accordance with

Section 4.4. “Significant traffic” means that the average number of daily trips, or the average number of peak hour trips, on any existing street would increase by 20% or greater as a result of the development. The City may require a traffic impact analysis prepared by a qualified professional prior to deeming a land use application complete, and determining whether the proposed use requires a conditional use approval. The Conditional Use Permit shall include appropriate transportation improvement requirements, as identified by the traffic analysis, in conformance with Chapter 3.4, Section 1.

B. Wireless Communication Equipment.

Wireless communication equipment, including radio (i.e., cellular), television and similar types of transmission and receiving facilities are permitted, subject to the standards for wireless communication equipment in Chapter 3.6, Section 2, and Conditional Use Permit requirements. Wireless communication equipment shall also comply with required setbacks and other applicable standards of the Light Industrial District.