ORDINANCE NO._____

ARTICLE V. APPLICATION OF DISTRICT REGULATIONS 2

ARTICLE VII. DISTRICT REGULATIONS..... 3

ARTICLE VIII. SUPPLEMENTARY DISTRICT REGULATIONS 34

ARTICLE X. ADMINISTRATION AND ENFORCEMENT 74

ARTICLE XIII LAND DIVISIONS AND PROPERTY LINE ADJUSTMENTS..... 77

ARTICLE X.IV. CONDITIONAL USE PERMITS..... 99

ARTICLE XV. MASTER PLANNED DEVELOPMENTS..... 101

ARTICLE X.XII ZONE CHANGES [AMENDED ORD. A-200C, 05/13/08] 102

ARTICLE XXIV. VACATION 104

ARTICLE XII. DEFINITIONS 105

Underline indicates new
~~Strike through indicated propose removal~~

Dark Red = Coburg Loop Path Plan

Black = new language or text from another city/code/external source

Brown = Model Code

Orange = IAMP

Purple = TSP

Blue = Subdivision Ordinance

Exhibit__

Coburg Zoning Code Amendments

ARTICLE V. APPLICATION OF DISTRICT REGULATIONS

The regulations set by this Code within each district shall be minimum regulations and shall apply uniformly to each class or kind of structure or land, and particularly, except as hereinafter provided:

* * *

E. The City may attach such conditions as are necessary to carry out the provisions of this Code, and other applicable ordinances and regulations. Such conditions of approval shall be based upon the Code criteria, Comprehensive Plan, or applicable ordinance or regulation.

ARTICLE VII. DISTRICT REGULATIONS

District regulations are set forth in the following Schedule of District Regulations:

A. Traditional Residential District (TR)

1. Purpose: The Traditional Residential District is intended to provide a livable neighborhood environment, preserve the small town and historic character of the traditional core of Coburg, ensure architectural compatibility, and provide for a variety of residential housing choices and other associated uses as determined to be desirable and/or necessary.

2. Uses and Structures

a. Permitted Principal Uses and Structures

(1) Residential

(i) Single-family detached dwellings
(ii) Duplexes located on a corner parcel with each primary entry oriented to a different street
~~(iii) Accessory dwellings~~
(iii)~~(iv)~~Group home, not to exceed five unrelated individuals
(iv)~~(v)~~Manufactured homes~~2~~ on individual lots ~~as provided in Article VIII, Section G~~K~~(4).~~
(v)~~(vi)~~ Residential Homes as defined by ORS 197.660-670
(vi)~~(vii)~~ Residential Facilities, as defined by ORS 197.660-670, subject to locational standards in Section ~~10~~ 11(b).
(vii) Cottage housing, subject to the standards in Article VIII, Section J.

(2) Home Occupations as provided in Article VIII, Section ~~K~~ O

(3) Public and Institutional

a. Places of Worship subject to the locational standards in Section ~~10~~ 11.
b. Public and private schools subject to the locational standards in Section ~~10~~ 11.

(4) Bed and Breakfast Inns, subject to the locational standards in Section ~~10~~ 11.

(5) Child care center providing care to six or fewer children. Child care centers with 7-12 children are permitted subject to the locational standards in Section 11.

b. Permitted Accessory Uses and Structures

(1) Accessory buildings and uses, such as garages, carports, or sheds, are permitted.

(2) One accessory dwelling unit, ~~is permitted on a lot with a single-family detached dwelling.~~ as provided in Article VIII, Section K.

c. ~~Special Exceptions (~~Conditional Uses~~)~~. The following uses require a conditional use permit under the procedure, criteria, and standards of Article ~~X~~-III.

(1) Boarding, lodging or rooming house

(2) Child care center-providing care to thirteen or more children

(3) Nursing homes

(4) Public parks, playgrounds and community centers

(5) Public and semi-public buildings

(6) Public, private and parochial schools that do not meet the locational standards in Section ~~10~~ 11

(7) Places of worship that do not meet the locational standards in Section ~~10~~ 11

(8) Agricultural uses and crop cultivation subject to Nuisance Ordinance criteria and Section ~~9~~ 10 requirements

(9) Gardens and greenhouses for commercial purposes

(10) Mixed-use development (a residential use with another permitted use or commercial use), subject to locational and design standards in Article VIII, Section M.

d. Prohibited Uses

(1) All uses not listed as permitted, accessory, or conditional ~~are prohibited~~

3. Driveway Limitations in the Traditional Residential District

a. In the Traditional Residential District, driveways shall be limited to a maximum of one (1) per dwelling. One driveway shall be allowed for each unit of a duplex. A single driveway cannot be used by more than one dwelling.

Exception: A single driveway can serve one dwelling in addition to an approved accessory dwelling unit.

4. Minimum Lot Requirements

a. For properties not served by sanitary sewers, the minimum lot requirements shall be as follows:

Number of Units	Sq. Ft./lot	Min. Width	Max. Lot. Coverage.
Single Family Duplexes	10,000	50~~60~~ ft., 55 ft. for corner lots	30%

~~**C 1Number of Units Sq. Ft./lot Min. Width Max. Lot. Coverage**~~
~~Single Family 10,000 60 ft. 30%~~

b. For properties served by sanitary sewers, the minimum lot requirements shall be as listed below:

~~Number of Units~~	~~Min. Sq. Ft.lot~~	~~Min. Width~~	~~Max. Lot. Coverage~~
~~Single Family detached And manufactured home On a lot.~~	~~7,5000~~	~~60 ft.~~	~~30%~~
~~Duplex~~	~~8,000~~	~~65 ft.~~	~~35%~~

Number of Units	Sq. Ft./lot	Min. Width	Max. Lot. Coverage.
Single Family detached and Manufactured home on a lot	6,000 inside historic district 5,000 outside of historic district	50 ft.; ~~50-6~~55 ft. for corner lots.	40%
Duplex	7,000	65 ft.	50%

c. The approval body may grant a 15% modification to the lot area and/or lot dimension standards, provided that:

(1) The modification is necessary to address physical constraints, such as topography, existing development, significant trees, and other natural and built features; and

(2) The overall density requirements of the subdivision are satisfied; and

(3) Where the proposed subdivision abuts an existing subdivision with standard or larger than standard sized lots, the proposed lots abutting the lots in the existing subdivision shall be at least the minimum lot size for the proposed subdivision.

Where substandard lots abut standard or larger sized lots, the approval body may require screening or other transitions to provide a buffer between uses.

5. ~~Minimum~~ Residential Density Standards

The following density standards apply to all new development where sanitary sewer is available. The standards are intended to ensure efficient use of buildable lands and provide for a range of needed housing.

a. The maximum density permitted on any parcel in the Traditional Residential District shall be nine dwelling units per acre. The maximum density limitation does not apply to accessory dwelling units, cottage housing, or residential uses as part of a mixed-use development.

b. ~~a~~ When lots are created through a land division, or site development is proposed for four or more dwelling units, a minimum density of ~~65~~ 680% ~~percent~~ of the maximum density (or 5.4 ~~4.8~~ dwelling units per acre) is required. ~~permitted by the zone is required for all residential units, except that this standard does not apply to the following developments. Gross acres are used to calculate density~~ (Minimum density calculations are based on net density. See density calculations definition.) This standard does not apply to the following developments:

(1) Partitions;

(2) Subdivisions of parcels totaling 20,000 square feet or less;

(3) Lot line adjustments;

(4) Bed and Breakfast inns; and

(5) Development on physically constrained sites, where lot configuration, access limitations, topography, significant trees, wetlands or other natural features prevent development at the minimum density.

c. ~~b.~~ The density standards may be averaged over more than one development phase (i.e., as in a master planned development).

d. ~~c.~~ Duplexes used to comply with the density standard shall be so designated on the final subdivision plat.

~~e. d. The residential density standard of the Residential District does not apply to (a) accessory dwellings, due to the small size and low occupancy level of the use, or to (b) cottage housing .~~

6. Minimum Yard Requirements.

a. Front yards.

(1) ~~Front yard s~~Setbacks shall be a minimum of 15 feet, with the following exception~~s~~:

(i) Garages, carports, and sheds shall be set back a minimum of 20 feet from the front property line and shall be set back a minimum of 5 feet from the longest wall of the front façade of the house.

(2) Steps are permitted within the front yard setback. ~~For new buildings proposed between two existing residences with the same street frontage, the minimum front setback for the new building shall be the average front setback of both adjacent residences, plus or minus 5 feet from the average.~~

(3) In any required front yard, no fence or wall shall be permitted which materially impedes vision across such yard above the height of 30 inches, and no hedge or other vegetation shall be permitted which materially impedes vision across such yard between the heights of 30 inches and 10 feet.

(4) In the case of through lots, unless the prevailing front yard pattern on adjoining lots indicates otherwise, front yards shall be provided on all frontages. Where one of the front yards that would normally be required on a through lot is not in keeping with the prevailing yard pattern, the ~~p~~Planning ~~commission~~ Official may waive the requirement for the normal front yard and substitute, therefore, a special yard requirement which shall not exceed the average of the yards provided on adjacent lots.

(5) In the case of corner lots which do not have reversed frontage, a front yard of the required depth shall be provided in accordance with the prevailing yard pattern and a second front yard of half the depth required generally for front yards in the district shall be provided on the other frontage.

(6) In the case of the reversed frontage corner lots, a front yard of the required depth shall be provided on either frontage, and a second front yard of half the depth required generally for front yards in the district shall be provided on the other frontage.

(7) In the case of corner lots with more than two frontages, the Planning ~~Commission~~ Official shall determine the front yard requirements, subject to the following limitations: (1) At least one front yard shall be provided having the full depth required generally in the district; (2) No other front yard on such lots shall have less than half the full depth required generally.

b. Side yard~~.~~ ~~S~~setbacks shall be seven (7) feet from any property line, except:

(1) Corner lots shall have a side yard next to the street of 10 feet.

c. Rear yard. Primary structures shall be set back not less than 10-feet from the rear property line. Accessory structures that require a building permit shall be set back not less than five (5) feet from the rear property line.

d. Schools. Schools shall provide and maintain setbacks of 50 feet from side and rear property lines, except on the street side of a corner lot where a setback of at least 25 feet shall be required. Alleys contiguous to or within the property being used for school purposes may be included in the required setback. This provision does not apply to residences used for home schooling.

e. All structures, including but not limited to buildings, fences, decks, and stairways, ~~setback orientations~~ shall be a minimum of one foot from the Coburg Loop Path right-of-way.

~~[Adopted A-133K 12/1/1998]~~

7. Maximum Height Standards

a. Residential Buildings. The maximum height shall be 35 feet.

b. Accessory Buildings, including accessory dwellings. The maximum structural height shall be 15 feet. The maximum height may be 25 feet if a living unit is provided on the second floor.

c. Garages. Garages shall not exceed the maximum height of the primary structure. Where an ADU is located above a garage, the maximum height may be 35 feet.

d. All other buildings shall not exceed 35-feet.

e. Mixed Use. The maximum height shall be 45 feet.

8. Parking and Access Requirements

See ARTICLE VIII for parking and access requirements.

9. Sign standards

See Sign Ordinance and ARTICLE VIII for requirements.

10. **Standards for Agriculture and Livestock Uses**

a. The total maximum number of animals permitted on a lot shall be as follows. (Area computation may be utilized one time only for allowable animal count):

Type of Animals Allowed	**Minimum Square Feet Required**	**Square Feet per Animal Required**
Honey Bee Colonies (per hive)	10,000	10,000
Fowl (not including roosters, Rabbits)	4,000	2,000;(maximum of 10 on 40,000 square feet)

11. **~~Transition Use~~ Locational Standards**

~~a. Applicability. This section applies to uses referenced in Section A (2) above.~~

~~b. Locational standards. All b~~Buildings and uses subject to this section may be located only where ~~shall meet all of the following standards~~:

a. Adjacent to the Central Business District or Highway Commercial District or Light Industrial, either by sharing a property line or across a street or alley; and

b.~~(2)~~ Abutting a ~~On at least one (1)~~ collector or arterial street.

12. **Compliance with Design Standards and Guidelines**

a. All uses, structures and development in this district are subject to the applicable design and development standards in Article VIII.

B. Traditional Medium Residential District (TMR)

1. Purpose: The Traditional Medium Residential District is intended to provide for medium density housing in a livable neighborhood environment, preserve the small town and historic character of the traditional core of Coburg, ensure architectural compatibility, and provide for a variety of residential housing choices and other associated uses as determined to be desirable and/or necessary.

2. Uses and Structures

a. Permitted Principal Uses and Structures

(1) Residential

(i) Single-family detached dwellings
(ii) Single-family attached dwellings (townhomes) ~~not to exceed four units per structure, and,~~ subject to the design standards of Article VIII
(iii) Cottage housing, subject to the standards in Article VIII, Section J
(iv) Duplexes
(v)~~(iv)~~ Multi-family dwellings ~~not to exceed four units per structure, and~~, subject to the design standards of Article VIII, Sections I and L(4)
(vi)~~(v)~~ Group homes
(vii)~~(vi)~~ Manufactured homes[3] on individual lots as provided in Article VIII, Section L(4)~~J~~
(viii)~~(vii)~~ Manufactured dwelling parks[4]
(ix)~~(viii)~~ Residential Homes and Residential Facilities, as defined by ORS 197.660-.670

(2) Mixed-~~-~~use development (a residential use with another permitted use or a commercial use identified in Article VII, Section C.2.a(1) and (5)) subject to the standards in Article VIII, Section M

(3) Home occupations as provided in Article VIII, Section ~~K~~O

(4) Public and Institutional

(i) Places of worship, subject to the locational standards in Section 10~~)~~

(5) Child care center providing care to six or fewer children. Child care centers with 7-12 children are permitted subject to the locational standards in Section 10~~.~~

b. Permitted Accessory Units and Structures

(1) Accessory buildings and uses, such as garages, carports, or sheds.

(2) One accessory dwelling unit, ~~on a lot with a single-family detached dwelling.~~ as provided in Article VIII, Section K

~~b~~c. ~~Special Exceptions (~~Conditional Uses~~)~~. The following uses require a conditional use permit under the procedure, criteria, and standards of Article XIII.

(1) Boarding, lodging or rooming house

(2) Child care center-providing care to thirteen or more children

(3) Nursing homes

(4) Public parks, playgrounds and community centers

(5) Public and semi-public buildings

(6) Public, private and parochial schools that do not meet the locational standards in Section 10

(7) Places of worship that do not meet the locational standards of Section 10

(8) Agricultural uses crop cultivation and animal husbandry (including bee colonies) subject to Nuisance Ordinance criteria and Section 9 requirements

(i) Gardens and greenhouses for non-commercial purposes

~~c~~d. Prohibited Uses

(1) All uses not listed as permitted, accessory, or conditional uses ~~are prohibited.~~

3. Minimum Lot Requirements and Maximum Residential Density

a. For areas not served by sanitary sewers, the minimum lot requirements shall be as follows:

Number of Units	**Sq. Ft./lot**	**Min. Width**	**Max. Lot. Coverage**
Single Family	10,000	60 ft.	30%
Two-Family	~~12,000~~ 8,000	70 ft.	~~35%~~ 60%
Three-Family	~~16,000~~ 10,000	80 ft.	~~40%~~ 60%
Four-Family	~~20,000~~ 12,000	90 ft.	~~45%~~ 60%

b. For areas served by sanitary sewers, the minimum lot requirements shall be as listed below. ~~The maximum density permitted on any parcel shall be 13 dwelling units per acre, not including accessory dwelling units.~~

Housing Type	**Min. Sq. Ft./lot**[1]	**Min. Width**[1]	**Max. Lot. Coverage**
Single Family Detached	3,350	40 ft.	~~30%~~ 40%
Duplex	6,700	60 ft.	~~35%~~ 60%
Single Family Attached	3,~~35~~000	30 ft.	45%
Multiple Family	10,000	80 ft.	~~45%~~ 60%

c. The approval body may grant a 15% modification to the lot area and/or lot dimension standards, provided that:

(1) The modification is necessary to address physical constraints, such as topography, existing development, significant trees, and other natural and built features; and

(2) The overall density requirements of the subdivision are satisfied; and

(3) Where the proposed subdivision abuts an existing subdivision with standard or larger than standard sized lots, the proposed lots abutting the lots in the existing subdivision shall be at least the minimum lot size for the proposed subdivision.

Where substandard lots abut standard or larger sized lots, the approval body may require screening or other transitions to provide a buffer between uses.

4. ~~Minimum~~ Residential Density Standards

The following density standards apply to all new development where sanitary sewer is available. The standards are intended to ensure efficient use of buildable lands and provide for a range of needed housing.

a. The maximum density permitted on any parcel shall be 13 dwelling units per acre. The maximum density limitation does not apply to accessory dwelling units, single-family attached dwellings, cottage housing, or residential uses as part of a mixed use development.

~~a~~b. When lots are created through a land division, or site development is proposed for four or more dwelling units, a minimum density of 80% ~~percent~~ of the maximum density (or 10.4 dwelling units per acre) is required. Minimum density is calculated based on Net Density. See Density Calculation Definition. ~~permitted by the zone is required for all residential units, except that~~ T~~t~~his standard does not apply to the following developments:~~.~~ ~~Gross acres is used to calculate density:~~

(1) Partitions;

(2) Subdivisions of parcels totaling 20,000 square feet or less;

(3) Lot line adjustments;

(4) Bed and Breakfast inns; and

(5) Development on physically constrained sites, where lot configuration, access limitations, topography, significant trees, wetlands or other natural features prevent development at the minimum density.

~~b~~c. The density standards may be averaged over more than one development phase (i.e., as in a master planned development).

~~c~~d. Duplexes and townhomes used to comply with the density standard shall be so designated on the final subdivision plat.

~~d The residential density standard of this district does not apply to accessory dwellings, due to the small size and low occupancy level of the use, or to cottage housing.~~

5. Minimum Yard Requirements.

a. Front yard setbacks shall be a minimum of 15 feet, with the following exceptions:

(1) Garages shall be set back a minimum of 20 feet from the front property line and shall be set back a minimum of 5 feet from the longest wall of the front façade of the house. Garages shall comply with the applicable standards in Article VIII.

(2) Steps are permitted within the ~~15 foot~~ front yard setback.

(3) See Article VII, Section A.6.a(3) through (7) for additional standards ~~exceptions~~ to front yard setbacks.

(4) ~~For new buildings proposed between two existing residences with the same street frontage as the new building, the minimum front setback for the new building shall be the average front setback of both adjacent residences, plus or minus 5 feet from the average.~~

b. Side yard. Setbacks shall be five (5) feet from any property line, except:

(1) Corner lots shall have a side yard next to the street of 10 feet.

c. Rear yard. Primary structures shall be set back not less than 10-feet from the rear property line. Accessory structures that require a building permit shall be set back not less than five (5) feet from the rear property line.

d. Setback Exceptions. The following architectural features are allowed to encroach into the yard setbacks: eaves, chimneys, bay windows, overhangs, and similar architectural features may encroach into setbacks by no more than 2 feet.

Porches, decks and similar structures not exceeding 2 feet in height may encroach into setbacks by no more than 2 feet, subject to front yard setback provisions.

e. All structures, including but not limited to buildings, fences, decks, and stairways, ~~setback orientations~~ shall be a minimum of one foot from the Coburg Loop Path right-of-way.

6. Maximum Height Standards

a. Residential Buildings. The maximum height shall be 35 feet.

b. Accessory Buildings, including accessory dwellings. The maximum structural height shall be 15 feet. The maximum height may be 25 feet if a living unit is provided on the second floor.

c. Garages. Garages shall not exceed the maximum height of the primary structure. Where an ADU is located above a garage, the maximum height may be 35 feet.

d. Mixed Use. The maximum height shall be 45 feet.

e. All other buildings shall not exceed 35-feet.

7. Parking and Access Requirements

See Article VIII for parking and access requirements.

8. Sign standards

See Sign Ordinance for requirements.

9. Standards for Agriculture and Livestock Uses

a. The total maximum number of animals permitted on a lot shall be as follows. (Area computation may be utilized one time only for allowable animal count):

Type of Animals Allowed	Minimum Square Feet Required	Square Feet per Animal Required
Bee Colonies (per hive)	10,000	10,000
Fowl (not including roosters, Rabbits)	4,000	2,000~~;~~ (maximum of 10 on 40,000 square feet)

10. ~~Transition Use~~ Locational Standards.

~~a. Applicability. This section applies to uses referenced in Section A (2) above.~~

~~b. Locational standards.~~ ~~All b~~Buildings and uses subject to this section may be located only where ~~shall meet all of the following standards~~:

(1) Adjacent to the Central Business District or Highway Commercial District or Light Industrial, either by sharing a property line or across a street or alley; and

(2) Abutting a ~~On at least one (1)~~ collector or arterial street.

11. Compliance with Design Standards and Guidelines

a. All uses, structures and development in this district are subject to the applicable design and development standards in Article VIII.

C. Central Business District (C-1 ~~I~~)

1. Purpose. The Central Business District is intended to preserve and enhance the downtown area as the historic heart of the community. Coburg's downtown is the community's central location for commercial services, civic functions and mixed use. The district regulations are intended to ensure the downtown reflects the small town and historic character of Coburg, and provides an attractive, pedestrian-oriented setting.

2. Uses and Structures

a. Permitted Principal Uses and Structures (subject to Site ~~Plan~~Design Review provisions in Article XI)

(1) Business and Professional Offices

(2) Civic uses and facilities such as government offices and facilities, libraries, community centers and fire stations

(3) Clubs, Lodges, Fraternities and similar uses

(4) Mixed-use development (a residential use with another permitted use)~~.~~, ~~s~~subject to ~~s~~tandards in ~~Section 12 of this article~~ Article VIII, Section M

(5) Personal services (e.g., childcare, catering/food services, restaurants, dry cleaners, barbershops and salons, and similar uses) up to a 10,000~~-~~square~~-~~ ~~feet gross floor area~~ foot ~~-~~footprint

(6) Public parking lots and structures

(7) Public parks, playgrounds and recreational facilities

(8) Retail and Wholesale Stores and Shops, provided that:

(i) Yard setbacks and other open areas shall not be used for the storage, of business inventory, merchandise, equipment, or building materials, or for any scrap or salvage operation, storage or sale~~.~~

(ii) The footprint of the building is no larger than 10,000 square~~.~~ feet. ~~in gross floor area.~~

(iii) For wholesale uses: The ground floor facing the principal commercial street shall be used only for commercial sales or business or professional offices~~.~~

(9) Banks, lending and financial institutions, without drive-up facilities

(10) Existing agricultural, horticultural, and livestock uses (no new uses)

(11) Agricultural, horticultural, and livestock uses in operation on the effective date of this Code shall be deemed nonconforming uses and shall continue to operate subject to the provisions of Article VI of this Code.

(12) Single-f~~F~~amily Dwellings on individual lots with frontage on a local or collector street, or on individual lots with frontage on an arterial street where the single-family dwelling existed before January 1, 2018. ~~Subject to locational standards in Section 12.b.~~

(13) Except as prohibited under subsection c. below, multi-family dwellings subject to the design standards of Article VIII, Section L(4)

(14) Mobile food carts subject to obtaining a business license and certain standards in Article VIII, Section N

b. Permitted Accessory Uses and Structures

(1) All accessory uses normal and incidental to the uses permitted in this district.

c. Prohibited Uses

(1) New Manufactured Dwelling Parks

(2) New agricultural, horticultural, and livestock uses

(3) New vehicle service and gasoline stations

(4) Drive-up, drive-in and drive-through facilities related to food service or alcoholic beverage sales

(5) Schools

~~(6) Rescue missions and temporary revivals~~

(6) ~~(7)~~Any permitted or conditional use that creates odor, dust, smoke, noise, or vibration ~~or other negative impact~~ that is perceptible beyond the property boundaries

(7) Ground-floor multi-family dwellings facing Willamette Street

(8) All uses not listed as permitted, accessory, or conditional uses

d. ~~Special Exceptions (~~Conditional Uses~~)~~. The following uses require a conditional use permit under the procedure, criteria, and standards of Article XIII.

(1) Amusement establishments

(2) Clinics and laboratories, including animal clinics except that animals may be boarded overnight only when being medically treated in the clinic

(3) Places of worship and accessory activities and facilities, except rescue missions or temporary revivals, which are prohibited

(4) Small-scale manufacturing or processing, provided that the front 25 feet of the building's ground floor facing the principal commercial street shall be used for commercial uses or business or professional offices.

(5) Farmers' markets

(6) Drive-up, drive-in and drive-through uses not related to food service or alcoholic beverage sales, which are prohibited

(7) Alteration or demolition of identified historical resource as listed in the Coburg Comprehensive Plan and/or in Article IX

(8) Drinking Establishments not including restaurants and alcohol beverage sales

3. Building or Structural Height Standards

a. All buildings in the C-1 district are permitted to be up to 35 feet in height.

4. Lot Dimensions

a. The minimum lot frontage shall be 25 feet.

b. The minimum lot size shall be 1,500 sq. feet.

5. Maximum Lot Coverage

a. One hundred (100) percent coverage is allowable when minimum loading space, landscaping, setbacks and parking are provided.

6. Minimum Yard Requirements ~~Regulations.~~ All setbacks shall comply with applicable standards of the Uniform Building Code and Uniform Fire Code.

a. Front Yards

(1) Front yards shall not be required except where specified setbacks are established for road widening purposes.

(2) The maximum setback for a building façade shall be 15 feet. For non-~~-~~residential uses on Willamette Street, this standard is met when at least 80 percent of the building frontage is placed within the maximum setback. For commercial uses along other streets, the minimum building frontage that shall be placed within the maximum setback shall be at least 50 percent of the lot frontage.

b. Side Yards - Side yards shall not be required except:

(1) Where specified setbacks are established for road widening purposes~~, or~~

c. Rear Yards

(1) Rear yards shall not be required, except that where a non-residential use abuts the Residential District, a 10-foot rear yard shall be required.

(2) No structural improvements, except road surfacing, shall be allowed within 10 feet of the centerline of an alley.

d. Fences, Hedges, Walls, and Other Structures

~~See ARTICLE VII, Section H~~

See ARTICLE VIII, Sections H and I for screening standards for multi-family, commercial, and industrial development

e. All structures, including but not limited to buildings, fences, decks, and stairways, ~~setback orientations~~ shall be a minimum of one foot from the Coburg Loop Path right-of-way

7. Parking and Access Requirements

See ARTICLE VIII~~.~~, Sections A through C for other parking and access requirements.

8. Street Standards

See Article VIII, Section ~~F~~E for Street Standards

9. Pedestrian Amenities. ~~(See Appendix Page 8, Pedestrian Amenities~~
All new development shall be required to provide a minimum of two of the following pedestrian amenities:

a. Outdoor seating options, e.g., benches, or tables with chairs.

b. Extra wide sidewalks or courtyards that can be used as small plazas. These may be combined with water features and/or benches to create attractive public spaces.

c. Planters, garden areas, and pocket parks that include:

(1) Sitting space

d. Weather protection, e.g., pedestrian-scaled awnings or canopies

e. Other opportunities for open spaces, e.g. in rooftop courtyards, entranceways

10. Building Orientation
All buildings shall be oriented to a street. The building orientation standard is met when all of the following criteria are met:

a. Compliance with the setback standards in Section ~~5~~ 6.

b. All buildings shall have their primary entrance(s) oriented to the street. "Oriented to the street" means that the building entrance faces the street, or is connected to the street by a direct and convenient pathway not exceeding 60-feet in length. Streets used to comply with this standard are public streets or private streets that contain sidewalks and street trees.

c. Off-street parking, drives or other vehicle areas shall not be placed between buildings and streets where building placement complies with this standard.

d. On corner lots, buildings and entrances shall be oriented to the street with the higher functional classification ~~corner~~; parking, driveways and other vehicle areas shall be prohibited between buildings and street corners.

11. Historic Building Design
The following historic building exterior design elements are required for all new construction and major renovations in order to maintain and improve the historic storefront character of the downtown. Historic Structures are also subject to the conditional use criteria in Article XIV.

a. Decorative doors, transom and clerestory windows.

b. Windows with trim comparable in style to that commonly used on other historic buildings in the C-1 district.

c. 40-80% ~~percent~~ of ground floor façade facing the street, measured horizontally, shall have windows. The lower edge of these windows shall be no more than 30 inches above the

sidewalk.

d. The pitch and style of rooflines shall be comparable to existing historic rooflines, such as a 4 in 12 pitch.

e. Surface detailing is required for blank walls (permitted on non-street facing facades only) and shall include offsets, windows, siding, murals, or other similar features.

f. Weather protection for pedestrians (awnings or canopies). Lighted or bubble awnings are not allowed.

~~**12. Residential Development Standards**~~

~~a. Dwellings allowed outright above or behind a commercial use shall comply with the following standards:~~

~~(1) Parking, Garages, and Driveways. All off-street vehicle parking, including surface lots and garages, shall be oriented to alleys or located in parking areas located 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., underground or 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 when access cannot be provided from an alley. These standards do not apply when prevented by existing developments or topography. Each dwelling unit shall provide the required number of parking and bicycle spaces as required in Article VIII.~~

~~(2) Use of Alleys. If more than one four-plex or four or more townhouses are proposed, an alley or private mid-block lane shall be required for vehicle access. Alleys or mid-block lanes are not required when existing developments or topography prevents construction of an alley. As part of the development, the City may require dedication of right-of-way or easements and construction of pathways to provide pedestrian connections through a development site.~~

~~(3) Common Areas. A homeowners association or other legal entity shall maintain all common areas (e.g., walkways, drives, courtyards, private alleys, parking courts, etc.) and building exteriors. Copies of any applicable covenants, restrictions, and conditions shall be recorded and provided to the city prior to building permit approval.~~

~~b. Single family dwellings on individual lots shall comply with the following standards:~~

~~(1) Individual lots with frontage only on local or collector streets.~~

D. Highway Commercial District (C-2)

1. Purpose

The purpose of the C-2 District is to provide goods and services that primarily serve the traveling public and regional market. The C-2 District is intended to promote a high quality of life through a diverse economy and strong tax base, transition between higher and lower intensity uses, encourage multi-modal forms of transportation that utilize bicycle and pedestrian access for employees and customers, and appropriately scaled commercial uses that fit the small town, historic character of the community.

2. Uses and Structures

a. Permitted Principal Uses and Structures, provided the total ground floor space does not exceed ~~50,000~~35,000 square feet ~~of gross floor area~~ per building:

(1) Commercial retail and service businesses, including automobile-~~related~~ service and automobile-dependent uses.

(2) Commercial uses requiring outdoor storage, display, or customer service areas, such as vehicle sales, rental and repair, retail lumberyards, greenhouses, and retail building supply.

(3) Institutional uses, including religious, human care, educational and social institutions and public and semi-public buildings.

(4) Offices for professional services, professions and administrative uses.

(5) Service and gasoline stations in compliance with Section VII.D.14.

(6) Eating Establishments.

(7) Existing agricultural, horticultural and livestock uses (no new uses after September 30, 2005).

(8) Existing manufactured dwelling parks, mobile home parks, and other residential uses (no new residential uses), except per subsection (12).

(9) Existing warehouse and wholesale distribution uses (no new uses after September 30, 2005).

(10) Residential structures and uses for on-site security and/or management personnel in conjunction with and as part of another permitted use, up to 1,000 square feet total floor area.

(11) Residential uses, provided they are part of a mixed-use building and all residential uses are on an upper floor (no ground floor residential use).

(12) Transportation facilities, consistent with the City's Transportation System Plan~~.~~ and Parks and Open Space Master Plan.

~~(12)~~(13) Mobile food carts subject to obtaining a business license and certain standards in Article VIII, Section N(6) ~~K(9)~~.

b. Permitted Accessory Uses and Structures

Customary accessory uses to the permitted and conditional uses in subsections a. and c.,

provided that structures must be in compliance with the Uniform Building Code and may require a building permit.

c. ~~Special Exceptions (~~Conditional Uses~~)~~. The following uses are permitted with a conditional use permit pursuant to Article XIII, provided the total ground floor space does not exceed 35~~0~~,000 square feet of gross floor area per building.

(1) Commercial recreation facilities including indoor theaters, bowling alleys, indoor skating rinks or similar uses that are conducted wholly within a fully enclosed building that is set back at least 75 feet from any property line shared with the Residential District.

(2) Ambulance service.

(3) New warehouse uses located on the south side of Delaney Street as noted in City Resolution 90-14.

(4) Truck stops on parcels or lots that do not share more than 75 feet of a property line with the Residential Zone.

~~c.(5) Increase in building height, as provided in subsection 5, below.~~

d. Prohibited Uses

(1) All uses not listed as permitted, accessory, or conditional.

3. Lot Requirements

a. For parcels not served by public sewer:

(1) The minimum lot area shall be 10,000 square feet.

(2) The minimum average lot width shall be 100 feet.

(3) ~~A~~The maximum allowable lot coverage is ~~of~~ 60%~~percent of the lot may be covered by all buildings.~~

b. For parcels served by public sewers:

(1) No minimum lot area or width is required.

(2) The maximum allowable lot coverage is 80% ~~percent. The maximum allowable lot coverage is computed by calculating the total area covered by buildings and impervious (paved) surfaces, including accessory structures but not including pedestrian pathways. Compliance with other sections of this code may preclude development of the maximum lot coverage for some land uses.~~

(3) A minimum of 15% ~~percent~~ of the total area of the site shall be landscaped in accordance with Article VIII, Supplementary District Regulations.

4. Minimum Yard ~~Setbacks~~ Requirements (measured from the building foundation to the respective property line.)

a. Front Yard setbacks shall be a minimum of 5 feet and a maximum of 20 feet. No parking or loading areas shall be located within the front yard setback.

b. Interior Side Yards and Rear Yards: 10 feet minimum

c. A 25-foot horizontal buffer zone shall be required between development and any adjacent Residential District. This buffer is in addition to any required yard setbacks. This area shall provide landscaping to screen parking, service and delivery areas, and walls without windows or entries. The buffer may contain pedestrian seating any pedestrian pathways shall not contain any off-street parking, or storage of equipment, materials, vehicles, etc. Landscaping shall be in accordance with Article VIII, Section

d. Water quality treatment areas may be provided within setback yards, subject to City approval.

e. Additional setbacks on public street frontages may be required to provide for planned widening of an adjacent street~~, consistent with the City's Transportation System Plan~~.

f. All developments shall meet applicable fire and building code standards, which may require setbacks different from those listed above.

g. Construction of pathways and fence breaks in yard setbacks may be required to provide pedestrian connections to adjacent neighborhoods or uses, or other districts, or public pathways, consistent with the City's Transportation System Plan, Parks Plan or other applicable Comprehensive Plan policies and Zoning Code provisions.

~~h. Additional setbacks on public street frontages may be required to provide for planned widening of an adjacent street, consistent with the City's Transportation System Plan.~~

~~i. All developments shall meet applicable fire and building code standards, which may require setbacks different from those listed above.~~

5. Maximum Height Standards

a. The maximum structural height shall be ~~3~~45 feet, except the height of a new building that abuts a Residential District or an existing residential use may not exceed 35 feet .

~~b. As provided in subsection 2.c (conditional use), a building may exceed this height limitation up to a total of 45 feet when the new building does not abut a Residential District or an existing residential use.~~

6. Compliance with Design Standards and Guidelines

a. All uses, structures and development in this district are subject to the applicable design and development standards in Article VIII, Supplementary District Regulations.

7. On-Premise and Off-Site Signs

See Sign Ordinance for requirements.

8. Parking and Access Requirements

See ARTICLE VIII, Supplementary District Regulations.

~~**9. Off-Site Signs**~~

~~See Sign Ordinance for requirements.~~

~~10~~9. Vision Clearance

See Article VIII, Supplementary District Regulations.

1~~1~~0. Street and Path Standards

New development shall conform to the City's Street and Path Standards~~, as adopted in the Transportation System Plan~~ and set forth in Article VIII, Sections C & E.

1~~2~~1. Building Orientation

a. The primary entrance to a building shall be oriented to the street. "Oriented to the street" means that the building entrance faces the street.~~, or is connected to the street by a direct and convenient separate pedestrian pathway not exceeding 60 feet in length~~. Streets used to comply with this standard are public streets or private streets that contain sidewalks and street trees.

b. Building entrances on or within 30 feet of a public or private street shall connect to the street system and transit facilities through separated pedestrian pathways that comply with the federal Americans With Disabilities Act (ADA) and City regulations.

c. When the only street abutting a development is an arterial street, the building's entrance(s) may be oriented to an internal drive when impractical to orient towards the street. The internal drive or street shall have a raised, ADA-compliant pathway connecting the building entrance(s) to the street right-of-way.

1~~3~~2. Building Design Standards

a. All new commercial buildings shall have exterior wall articulation every 20 horizontal feet and shall include varied exterior treatment, e.g., varied materials, painting, etc. along the entire façade.

b. All new commercial buildings shall have display windows on the primary frontage, occupying at least 50% of horizontal linear dimension of wall and located not more than three (3) feet above the finished grade.~~Display windows shall be recessed in the wall a minimum of three (3) feet, and their contents shall be visible through transparent glass.~~ Windows mounted on the exterior façade, non-transparent glass, and non-glass materials covering the inside or outside of any portion of the display window are prohibited.

1~~4~~3. Standards for Service Stations

In addition to meeting the design and development standards in Article VIII, Service Stations shall comply with the additional standards below:

a. Locational Standards

(1) Service stations in retail commercial shopping centers or as part of another commercial development shall be adjacent to a public street. Commercial development shall have at least one public entrance that is oriented to the street. Vehicular access to the station may be from an internal drive or private street rather than directly from a public street.

(2) At the time the service station use is established, the site shall not share any property line with an existing residential use or the Residential District.

(3) The minimum distance from the site to the Residential District, or an existing

residential, school, park, playground, church, or museum use, shall be 200 feet.

(4) The minimum distance between service station sites shall be 400 feet, except at intersections.

(5) Not more than two (2) service stations shall be located at any given intersection. ~~When two service stations are proposed to be located within x feet of an at-grade intersection, they shall be situated on diagonally opposite corners.~~

(6) New service stations on the same side of a street or highway shall be no closer than 1,500 feet to any part of any existing building on another service station site. This shall not prevent major renovation of existing structures in accordance with this Code.

b. Site Design

(1) A minimum of fifteen (15) percent of the service station site shall be landscaped in accordance with Article VIII. Existing specimen trees, mature ornamental shrubs, and ground cover shall be preserved whenever possible.

(2) Perimeter Buffering

(i) A fence, hedge or wall shall be erected on all interior property lines.

(ii) Such a fence, hedge or wall shall be a minimum of five (5) feet and a maximum of seven (7) feet in height, except within 40 feet of street rights- of-way, where it may be no higher than three (3) feet in height.

(iii) No portion of any fence, hedge or wall shall be within 15 feet of a street right-of-way.

(iv) The fence, hedge or wall shall screen 70 percent of the view between the service station and adjacent property.

(v) These perimeter buffering requirements does not apply to service stations built as part of a shopping center or other commercial development, or where the service station site shares a property line with another commercial use or development.

(3) Each landscaped and planted area shall be serviced by an underground irrigation system that is remotely operated, unless the applicant submits professional certification that the proposed plant species are drought-tolerant for Coburg's climate and the site conditions. Planted areas must remain living after planting and shall be continuously maintained by the property owner. If the vegetation fails to survive or is otherwise not maintained in good condition, the property owner shall replace them with an equivalent species and size within 180 days.

c. Access

(1) A service station shall be permitted not more than two curb cuts for each arterial street frontage under City jurisdiction.

(2) Access on County roads and State highways shall be determined by Lane County and the Oregon Department of Transportation, respectively.

d. Signs

See Sign Ordinance for requirements.

e. Exterior Lighting

(1) Freestanding lighting fixtures shall not exceed a height of 20 feet.

(2) Lighting fixtures shall be shielded and not shine or glare off the property.

f. Operations

(1) All service stations must comply with all applicable state and federal rules and regulations.

E. Light Industrial District (LI)

1. Purpose

The purpose of the LI District is to provide areas for manufacturing, assembly, packaging, wholesaling, related activities, and limited commercial uses that support local industry and are compatible with the surrounding commercial and residential districts. The LI District is intended to promote a high quality of life through a diverse economy and strong tax base, transition between higher and lower intensity uses, encourage multi-modal forms of transportation that utilize bicycle and pedestrian access for employees and customers, and appropriately scaled non-polluting industrial uses that fit the small town, historic character of the community.

2. Uses and Structures

a. Permitted Principal Uses and Structures

(1) Commercial and Service

(i) Office(s) provided the office(s) are integral to a primary industrial use (e.g., administrative offices). Retail and service commercial uses up to 5,000 square feet in gross floor area ~~per~~ (e.g., convenience markets, restaurants, banks, dry cleaners, retail sales of products made on-site, and similar uses)

(2) Manufacturing and ~~A~~assembly, and ~~A~~associated ~~S~~sales of products manufactured or assembled on-site

(i) Boat building and repairs
(ii) Cabinet and sash and door shop
(iii) Electrical and electronic equipment
(iv) Food products, except the rendering or refining of fats or oils and meat packing plants
(v) Furniture manufacture and assembly
(vi) Ice
(vii) Paint shop
(viii) Plumbing supplies
(ix) Pottery
(x) Soft drinks
~~(x)~~(xi) Trailers, campers and recreational vehicles.
~~(xi)~~(xii) Upholstery
~~(xii)~~(xiii) Vehicle maintenance and repair facilities
~~(xiii)~~(xiv) Recreational vehicles sales lots, including sales of vehicles manufactured off-site

(3) Processing

(i) Greenhouses
(ii) Laundry cleaning and dyeing plants, including rugs and carpets
(iii) Printing and publication

(4) Utilities

(i) Distribution plant
(ii) Service yard
(iii) Substation

(5) Except where prohibited under subsection c(2) below, w~~W~~holesaling, warehousing and storage not exceeding 250,000 square feet

(i) Building material storage yards
(ii) Cold storage
(iii) Contractor's storage yard
(iv) Distribution agencies
(v) Household and consumer goods
(vi) Vehicles, boats, aircraft
(vii) Warehousing of manufacturing products
(viii) Wholesale businesses and sales room
(ix) Storage

(6) Agricultural, horticultural, and livestock uses that were legally established Prior to September 30, 2005

(7) Other

(i) Accessory buildings and uses normal and incidental to the uses permitted in this district
(ii) Animal hospitals and clinics
(iii) Public parking areas and structures
(iv) Residential structures and uses for on-site security and/or management personnel in conjunction with and as a part of a Light Industrial District permitted use not exceed 1,000 square feet in total area.

(8) Transportation facilities, consistent with the City's Transportation System Plan and Parks and Open Space Master Plan

(9) Mobile food carts subject to obtaining a business license and certain standards in Article VIII, Section N.

b. ~~Special Exceptions (~~Conditional Uses~~)~~. The following uses require a conditional use permit in accordance with Article XIII, conditional use procedures and criteria:

(1) Public and semi-public buildings--including, but not limited to, fire stations and reservoirs--essential to the physical, social and economic welfare of an area.

(2) Service stations, subject to the ~~(See~~ standards in ARTICLE VII~~C~~, Section D(13)~~)~~.

(3) Stone yards and marble works.

(4) Agricultural, horticultural, and livestock uses that were legally established prior to September 30, 2005.

(5) Wireless communication equipment, including radio (i.e., cellular), television and similar types of transmission and receiving facilities, in conformance with the Federal Telecommunications Act of 1996 and the provisions of ~~Article X.B.13~~ Article VIII, Section P.

(6) Other

(i) Resource extraction, including, but not limited to, the operation of mineral

and aggregate quarries. The conditional use permit shall include an approved site reclamation plan, submitted by the applicant, which complies with applicable requirements of State natural resource regulatory agencies.

~~Increase in building height, as provided in subsection 3, below~~
~~(7)~~ .

c. Prohibited Uses

(1) All uses not listed as permitted, accessory, or conditional

(2) Wholesaling, warehousing, and storage on properties located on the east side of Interstate 5

3. Maximum Height Standards

The maximum structural height shall be ~~3~~45 feet, except as follows:

a. Increased height may be approved for Wireless Communication facilities, subject to the provisions of Article VIII, Section ~~L~~ P

4. Lot Requirements

a. For parcels not served by public sewer:

(1) ~~a.~~ The minimum lot area shall be 10,000 square feet.

(2) ~~b.~~ The minimum lot width shall be 100 feet.

(3)~~c.~~ ~~A~~The maximum allowable lot coverage is ~~of~~ 60 %. ~~percent of the lot covered by all buildings~~

d. For parcels served by public sewers:

(1) ~~(1)~~ The minimum lot area for properties lying east of Interstate-5 shall be 20 acres. Otherwise, no minimum lot area or width is required.

(2) The maximum allowable lot coverage is 80% ~~percent~~. ~~The maximum allowable lot coverage is computed by calculating the total area covered by buildings and impervious (paved) surfaces, including accessory structures but not including pedestrian pathways. Compliance with other sections of this code may preclude development of the maximum lot coverage for some land uses.~~

~~(1)~~(3) A minimum of 15 percent of the total area of the site shall be landscaped in accordance with Article VIII, Supplementary District Regulations. Water quality treatment areas may be incorporated into required landscape area.

5. Minimum Yard ~~Setbacks~~ Requirements (measured from the building foundation to the respective property line.)

a. Front Yards: 20 feet minimum; within which there shall be landscaping that conforms to the provisions of Article VIII. Front setback yards may contain roof overhangs (roof drains required), awnings, canopies, pedestrian seating and pedestrian pathways but shall not contain any storage of equipment, materials, vehicles, etc. Landscaping shall be in accordance with Article VIII, ~~H~~Section I of this Code.

b. Side and Rear Yards Adjacent to Streets: See Front Yards.

c. Interior Side Yards and Rear Yards: 10 feet minimum.

d. Where an industrial use abuts a residential district, a 25 foot setback is the minimum area that shall be required between any development and any adjacent Residential District. Additional setback up to 200 feet may be required where the proposed activity would have a significant impact on adjacent residential property in the form of noise, dust, smoke, vibration or other negative impact that is perceptible beyond the property boundaries. A 25-foot landscaped horizontal buffer zone shall be required between development and any adjacent Residential District. This buffer shall be included within any required yard setbacks. This area shall provide landscaping to screen buildings, parking, and service and delivery areas. The buffer may contain pedestrian seating and pedestrian pathways but shall not contain any off-street parking, or storage of equipment, materials, vehicles, etc. Landscaping shall be in accordance with Article VIII.H of this Code.

e. Water quality treatment areas may be provided within setback yards, subject to City approval.

f. Construction of pathways and fence breaks in yard setbacks may be required to provide pedestrian connections to adjacent neighborhoods or uses, or other districts.

g. Additional setbacks on public street frontages may be required to provide for planned widening of an adjacent~~,~~ street consistent with the City's Transportation System Plan and Parks and Open Space Master Plan.

h. All developments shall meet applicable fire and building code standards, which may require setbacks different from those listed above.

6. Compliance with Design Standards and Guidelines

a. All uses, structures and development in this district are subject to the applicable design and development standards in Article VIII.

7. Parking and Access Requirements ~~Loading Space~~

See ARTICLE VIII Supplementary District Regulations, Sections B and C.

F. Campus Industrial District (CI)

1. Purpose

The purpose of the Campus Industrial District (CI) is to provide areas for high employment centers, including but not limited to research and development, manufacturing, assembly, packaging, ~~wholesaling~~, related activities, and limited industrial-supportive commercial uses in an attractive, campus setting. The CI District is intended to promote a high quality of life through a diverse economy and strong tax base, encourage multi-modal forms of transportation that utilize bicycle and pedestrian access for employees and customers, and appropriately scaled, non-polluting industrial uses that fit the small town, historic character of the community.

2. Uses and Structures

a. Permitted Principal Uses and Structures

(1) Commercial and Service

(i) Office(s)

(ii) Retail and service commercial uses, provided that no individual use exceeds ~~2,~~5000 square feet in gross floor area. ~~Automobile-dependent and Automobile-related uses, as defined in Section [#] are prohibited.~~

(2) Manufacturing and Assembly, ~~and~~ including Associated Sales, where the use does not require a permit from an air quality public agency and where any industrial activity occurs within an enclosed building~~, that does not emit noise, light, glare, heat, vibration, or other emissions exceeding ambient levels~~.

(3) Transportation facilities, consistent with the City's Transportation System Plan and Parks and Open Space Master Plan

(4) Other

(i) Accessory buildings and uses normal and incidental to the uses permitted in this district.
(ii) Animal hospitals and clinics
(iii) Public parking areas and structures
(iv) Residential structures and uses for on-site security and/or management personnel in conjunction with and as a part of a ~~Light~~ Campus Industrial District permitted use, not to exceed 1,000 square feet in total area

(5) Uses similar to those listed in subsections 1-4, above, as determined through a Type II Administrative Review

(6) Mobile food carts subject to obtaining a business license and certain standards in Article VIII, Section N.

b. ~~Special Exceptions (~~Conditional Uses~~)~~. The following uses require a conditional use permit in accordance with Article XIII, conditional use procedures and criteria:

(1) Public and semi-public buildings--including, but not limited to, fire stations and reservoirs--essential to the physical, social and economic welfare of an area

~~(2) Increase in building height, as provided in subsection 3, below.~~

c. Prohibited Uses.

(1) Distribution Centers and Warehouses

(2) Automobile-dependent and automobile-~~related~~ service uses. See Definitions.

(3) All uses not listed as permitted, accessory, or conditional uses

3. Maximum Height

The maximum structural height shall be ~~3~~45 feet~~, except an increase in building height up to three (3) building stories, or 45 feet, whichever is less, may be allowed with a Conditional Use Permit.~~

4. Lot Requirements

a. For parcels **not** served by public sewer:

(1) ~~a.~~ The minimum lot area shall be 10,000 square feet.

(2) ~~b.~~ The minimum lot width shall be 100 feet.

(3) ~~c. A~~The maximum allowable lot coverage is~~of~~ 60% ~~percent of the lot covered by all buildings~~

b. For parcels served by public sewer:

(1) The minimum lot area for properties lying east of Interstate-5 shall be 20 acres. Otherwise, no minimum lot area or width is required.

(2) The maximum allowable lot coverage is 60 percent. The maximum allowable lot coverage is computed by calculating the total area covered by buildings and impervious (paved) surfaces, including accessory structures but not including pedestrian pathways. Compliance with other sections of this code may preclude development of the maximum lot coverage for some land uses.

(3) ~~B~~ A minimum of 40 percent of the total area of the site shall be landscaped in accordance with Article VIII, Supplementary District Regulations. Water quality treatment areas may be incorporated into required landscape area~~, subject to City approval~~.

5. Minimum Yard ~~Setbacks~~ Requirements (measured from the building foundation to the respective property line.)

a. Front Yards: 20 feet minimum; within which there shall be landscaping and pedestrian amenities that conform to the provisions of Article VIII, Section #. Front yards may contain roof overhangs (roof drains required), awnings, canopies, pedestrian seating and pedestrian pathways but shall not contain any storage of equipment, materials, or vehicles,~~ etc.~~ Landscaping shall be in accordance with Article VIII,~~.~~ Section H and I of this Code.

b. Street Corner Yards: Same as for Front Yards

c. Interior Side Yards and Rear Yards: 0 feet minimum for common wall development, and 10 feet minimum for all other development, subject to applicable building and fire codes

d. Water quality treatment areas may be provided within setback yards~~, subject to City approval~~.

e. Construction of pathways and fence breaks in yard setbacks may be required to provide pedestrian connections to adjacent neighborhoods or uses, or other districts.

f. All developments shall meet applicable fire and building code standards, which may require setbacks different from those listed above.

g. Additional setbacks on public street frontages may be required to provide for planned widening of adjacent streets consistent with the City's Transportation System Plan and Parks and Open Space Master Plan.

6. Compliance with Design Standards and Guidelines

All uses, structures and development in this district are subject to the applicable design and development standards in Article VIII.

7. Parking and Access Requirements

See ARTICLE VIII Supplementary District Regulations, Section B & C

G. Parks, Recreation and Open Space District (PRO)

1. Purpose and Applicability

a. It is the purpose of this zone to preserve and protect park, recreation and open space lands that contribute to the general welfare and safety, the full enjoyment or the economic well-being of persons who reside, work or travel in, near or around them.

b. This zone may be established when found necessary in order:

(1) To preserve any existing open land type of use which has been established or proposed to encourage development around it, such as golf courses, country clubs, park and recreation facilities, etc. and investments which have been or will be made in reliance upon the retention of such use.

(2) To buffer an otherwise incompatible use or zone.

(3) To preserve and maintain natural drainage ways, lakes (natural or artificial), areas unsuitable for intensive development by virtue of physical limitations and environmental control areas for the protection of resource areas and wildlife habitat.

(4) To preserve a valuable scenic resource or vista or an area of historical significance.

(5) To preserve and protect existing vacated easement or rights-of-way for recreational use and/or open space conservation (e.g., the Coburg Loop Path)

c. When establishing this district, due regard shall be given to the percentage of a total holding being zoned, the investment made or proposed to be made by private or public interests in reliance upon the retention of the open space, the proper balancing of public and private interests which are affected by such action.

d. When used as a buffer, the land being zoned as a PRO district shall be part of the holding which creates the need for the buffer.

e. In each instance when this district is established, the Planning Commission must establish the findings and purpose for the establishment of the zone or the values to be obtained, encouraged or preserved.

2. Uses and Structures

a. Permitted Principal Uses and Structures

(1) Public parks and playgrounds.

(2) Golf courses and country clubs, if compatible with the state purpose of adoption.

(3) Historical areas, structures, interpretive signs and monuments.

(4) Natural features and vistas unique to the Urban Growth Area.

(5) Accessory buildings and uses normal and incidental to uses permitted in this section.

(6) Agricultural uses, crop cultivation or truck gardens and animal husbandry per special conditions of ARTICLE VII.A.10.

b. ~~Special Exceptions (~~Conditional Uses and Structures~~)~~

Conditional Use Permits may be granted ~~by the Planning Commission~~ under requirements of ARTICLE XIII.C.

(1) Private recreation uses involving no above ground structure except dressing rooms, swimming pool covers, recreation shelters and comfort stations.

(2) Cemeteries, provided the only accessory buildings are chapels, administration and maintenance buildings, and the only interment facilities are at ground level or below, and no mounds are above ground level.

(3) Public and semi-public buildings related to health and safety services--fire stations, substations, reservoirs, and wastewater treatment facilities--essential to the physical, social and economic welfare of the area;

(4) Equestrian arenas, trails and paths and support facilities.

c. Prohibited Uses

(1) All uses not listed as permitted, accessory, or conditional.

3. Criteria and Standards

a. Requirements for height limits, minimum yard requirements, minimum area and dimensions, lot coverages and off-street parking and loading areas shall be specified as a condition of approval during site plan review.

b. Signs

None, except as specified as a condition of approval for a Conditional Use Permit as defined in ARTICLE XIII.C.

ARTICLE VIII. SUPPLEMENTARY DISTRICT REGULATIONS

A. Access Management and Vision Control Regulations

1. Visibility at Intersections and Access from Driveways

a. On a corner lot in any district nothing shall be erected, placed, planted or allowed to grow in such a manner as materially to impede vision between a height of 2-1/2 and 10 feet above the center line grades of the intersecting streets in the area bounded by the street right-of-way lines of such corner lots and a line joining points along said street right-of-way lines, 20 feet from the point of the intersection.

b. Residential driveways shall be located to optimize intersection operation and, where possible, to provide access from the street with the lowest functional classification. For example, if a house is located on the corner of a local street and a collector, the driveway shall provide access from the local street if the driveway can be located a sufficient distance from the intersection.

2. Structures and Properties to Have Access

Every building hereafter erected or moved shall be on a lot fronting or abutting on ~~adjacent to~~ a public street or with access to a public street over an approved private street or easement of record, and all structures shall be so located on lots as to provide safe and convenient access for servicing, fire protection and required off-street parking. Properties that abut only collector or arterial streets should share access with neighboring properties where feasible.

~~[Adopted A-133L 10/5/99]~~

B. Parking Regulation

1. Parking and Storage of Certain Vehicles

Automotive vehicles or trailers of any kind ~~or type~~ without current license plates shall not be parked or stored on any residentially zoned property other than in completely enclosed buildings.

2. Off-Street Parking Requirements.

a. Parking Area Design.

(1) All public or private parking spaces, except those required in conjunction with a single-family or two-family dwelling on a single lot, shall be designed and laid out to conform with the requirements of this Code and the Planning Commission.

(2) Groups of three or more parking spaces, except those in conjunction with single-family or two-family dwellings on a single lot, shall be served by a service drive so that no backward movements or other maneuvering of a vehicle within a street, other than an alley, shall be required. Service drives shall be designed and constructed to facilitate the flow of traffic, provide maximum safety in traffic access and egress and maximum safety of pedestrians, bicycles, and vehicular traffic on the site.

b. Parking Space Required

The number of off-street parking spaces required shall be no ~~less~~ fewer than as set forth below~~set forth in (1) – (3) following. Space requirements by type of use for off-street~~

~~parking are listed in (4), (5), and (6) (7) and (8) below. in (1) – (3) following. Space requirements by tpe of use for off-stret parking are listed in (4), (5) and (6) below. Fractional space requirements shall be counted as a whole space. When square feet are specified, the area measured shall be gross floor area of the building primary to the use but shall exclude any space within a building used for off-street parking, loading, or service functions not primarily to the use. When the requirements are based on the number of employees, the number counted shall be those working on the premises during the largest shift at peak season. A reduction in the number of required spaces is allowed if evidence is provided to show that a reduced amount of parking is sufficient and will not cause any detrimental impacts to on-street parking or other parking areas. For example, an employer working with LTD to provide bus passes to employees or who offers van pools may need fewer parking spaces for employees~~:

~~(1) All institutional, commercial and industrial uses shall provide no less than five vehicular parking spaces for visitors.~~

~~(2) All uses shall provide vehicular parking space for each employee working on or from the site, as determined by the maximum number of employees during any single hour of a day.~~

~~(3) All uses shall provide one vehicular parking space for each vehicle operating on or from the site.~~

(4) ~~One driveway per single family dwelling.~~

Use	Parking Space Required
~~(5) Residential types~~	
~~(i) Dwelling, single-family~~	~~Two One for each dwelling unit on a single lot~~
~~(ii) Dwelling, two-family or multiple-family~~	~~1 1/2 for each dwelling unit; where fractioned next highest full unit~~
~~(iii) Hotels, motels, motor hotels, etc.~~	~~One for each guest room~~
~~(vi) Rooming or boarding houses~~	~~One for each guest room~~
~~(6) Institutional types~~	
~~(a) Hospitals~~	~~1 1/2 for each bed; where fractioned, highest full unit, plus 2 for each nurses' station.~~

~~(b)~~	~~Churches, clubs, lodges~~	~~1 for every 4 fixed seats or every 8 feet of bench length or every 28 square feet of main assembly room (sanctuary) where no permanent seats or benches are maintained~~
~~(c)~~	~~Libraries, museums, art galleries~~	~~1 for each 250 square feet of gross floor area~~
~~(d)~~	~~Nursing homes, homes for the aged~~	~~One for each three beds for the aged, group care homes, asylums, etc.~~
~~(e)~~	~~Schools~~	
	~~Elementary or junior high schools~~	~~1-1/2 for each teaching station; plus 1 for every 6 fixed seats or for every 42 square feet of seating area where there are no fixed seats in the auditorium or assembly area~~
	~~High schools~~	~~1-1/2 for each teaching station; plus for the largest assembly room or auditorium, 1 for every 4 fixed seats or for every 28 square feet of floor area where no fixed seats are maintained~~

~~(7) Commercial Types~~

~~(a)~~	~~Retail establishments except as otherwise specified in this Code~~	~~1 for each 400 square feet of retail floor area~~
~~(b)~~	~~Barber and beauty shops~~	~~1 for each 75 square feet of gross floor area~~
~~(c)~~	~~Bowling alleys~~	~~Six for each bowling lane~~
~~(d)~~	~~Office buildings, businesses and professional offices~~	~~1 for every 400 square feet of gross floor area~~

~~(a)~~	~~Recreational or entertainment establishments~~	
~~(1)~~	~~Spectator type auditoriums, assembly halls, theatres, stadiums, places of public assembly, etc.~~	~~One for each four seats~~
~~(2)~~	~~Participating skating rinks, dance halls, etc.~~	~~1 for each 75 square feet of gross floor area~~
~~(3)~~	~~Establishments for the sale and consumption on the premise of food and beverage~~	~~1 for each 60 square feet of gross floor area~~

Table VIII(B)(2)(b): Parking Space Required	
Residential Types	
Dwelling, single-family	~~Two~~ One for each dwelling unit on a single lot
Dwelling, two-family or multiple family	~~1-1/2~~ One for each dwelling unit; where fractioned next highest full unit
Hotels, motels, motor hotels, etc.	~~One~~ 0.75 for each guest room
Rooming or boarding houses	One for each guest room
Accessory dwelling unit	One for each dwelling unit
Institutional Types	
Hospitals	~~1-1/2~~ One for each bed; where fractioned, highest full unit, plus 2 for each nurses' station
Churches, clubs, lodges	1 for every 75 square feet of main assembly area
Libraries, museums, art galleries	1 for each 300 square feet of gross floor area
Nursing homes, homes for the aged	One for each six beds for the aged, group care homes, asylums, etc.
Schools	
Elementary or junior high schools	1 for each teaching station~~; plus 2 for each classroom~~
High schools	1 for each teaching station~~; plus 8 for each classroom~~
Commercial Types	
Retail establishments except as otherwise specified in this Code	1 for each 400 square feet of retail floor area, except one space per 1,000 sq. ft. for bu~~i~~lk retail (e.g., auto sales, nurseries, lumber and construction materials, furniture, appliances, and similar sales)

Barber and beauty shops	1 for each 200 square feet of floor area
Health Clubs, Gyms, Continuous Entertainment (e.g., bowling alleys)	One for every 300 square feet of floor area
Office buildings, businesses and professional offices	One for every 500 square feet of floor area
Recreational or entertainment establishments	
Spectator type auditoriums, assembly halls, theaters, stadiums, places of public assembly, etc.	One for each six seats
Participating skating rinks, dance halls, etc.	One for each 300 square feet of floor area
Establishments for the sale and consumption on the premise of food and beverage	One for each 200 square feet of floor area

c. Calculations

(1) In the event the calculation produces a fractional number, one parking space shall be required for a fractional unit of .50 or above; no space shall be required for fractional unit of less than .50.

(2) Where multiple uses are proposed on site, the number of spaces required for each individual use is determined, rounded if necessary, and added to the number of spaces, after rounding, required for the other use(s)

(3) When square feet are specified, the area measured shall be the gross floor area related to the use. Area not primarily related to the use are excluded from the measurement

(4) When the number of employees are specified, the number shall reflect the maximum number of employees on the premises at one time during peak season

d Exceptions and Reductions to Off-Street Parking Requirements

(1) The Central Business District (C1) is exempt from the minimum parking requirements of Section 3(b).

(2) Accessory dwelling units may be exempt from the minimum parking requirements of Section 3(b) if the applicant demonstrates that an equal number of on-street parking spaces are available within 800 feet of the site.

~~(1)~~(3) The Planning Official may waive or reduce off-street parking requirements in any one or more of the following circumstances:

(i) The applicant demonstrates, based on a parking analysis prepared by a qualified professional, that the proposed use will not generate a need for the required parking;

(ii) Site has dedicated parking spaces for carpool or vanpool vehicles: Allow up to a 20% reduction to the standard number of automobile parking spaces;

(iii) Site has dedicated parking spaces for motorcycles, scooters, or electric carts: Allow reductions to the standard dimensions for parking spaces;

(iv) Site has more than the minimum number of required bicycle parking spaces: Allow up to a 10% reduction to the standard number of automobile parking spaces;

(v) An equal number of alternate parking spaces are provided off-site through a joint use agreement subject to the following criteria:

(aa) The alternate parking is no more than 800 feet from the building or use required to provide parking;

(bb) There is no substantial conflict between the principal operating hours of the uses on the property providing the alternate parking and the building or use for which the parking is required (i.e., the applicant must demonstrate that the alternate parking spaces will be available when needed).

(cc) The joint use agreement is evidenced by a signed written document, approved by the City Attorney as to form and content, and duly recorded with ~~the~~ Lane County, with true copies thereof filed with the City Recorder.

(vi) A bus stop is located within 800 feet of the site: Allow up to 20% reduction to the standard number of parking spaces.

~~[Adopted A-133L 10/5/99]~~

4. Parking Requirements for Uses Not Specified

The parking space requirements for buildings and uses not set forth herein shall be determined by the Planning Commission, and such determination shall be based upon the requirements for the most comparable building or use specified herein. ~~and shall consider the latest data available in the Institute of Transportation Engineers Trip Generation Manual.~~

5. Common Facilities for Mixed Uses

a. In the case of mixed uses, the total requirements for off-street parking spaces shall be the sum of the requirements for the various uses. Off-street parking facilities for one use shall not be considered as providing facilities for, any other use except as provided in subsection b, below, ~~–~~ Joint Use of Parking Facilities.

b. Joint Use of Parking Facilities. The ~~Planning Commission~~ Planning Official may, upon application, authorize the joint use of parking facilities required by said uses and any other parking facility, provided that:

(1) The applicant shows that there is no substantial conflict in the principal operating hours of the building or use for which the joint use of parking facilities is proposed;

(2) The parking facility for which joint use is proposed is not further than 400 800 feet from the building or use required to have provided parking; and The the

parties concerned in the joint use of off-street parking facilities shall evidence agreement for such joint use by a legal instrument approved by the City Attorney as to form and content. Such instrument, when approved as conforming to the provisions of this Code, shall be recorded in the office of the Lane County Recorder and copies thereof filed with the City Recorder.

6. Bicycle Parking

a. Bicycle parking requirements shall apply to all developments that require a site plan or amended site plan for new development, changes of use, and building expansions and remodels that require a building permit, as follows:

(1) Multi-Family. Every residential use of ~~two~~ three or more multi-family dwelling units shall provide at least one sheltered bicycle parking space for each unit. Sheltered bicycle parking areas may be in a conveniently located garage or storage unit, or under an eave, independent structure, or similar cover.

(2) Non-Residential Parking. There shall be a minimum of one bicycle space for every seven motor vehicle spaces. At least ~~ten percent~~ half of all bicycle parking spaces shall be sheltered. Bicycle parking provided in outdoor areas shall be located near the building entrance, similar to vehicle parking spaces, unless existing development on site precludes that option. Fractions shall be rounded to the nearest whole number.

b. Bicycle Parking Facilities Design Standards

(1) Bicycle parking facilities shall either be stationary racks which accommodate bicyclist's locks securing the frame and both wheels, or lockable rooms or enclosures in which the bicycle is stored.

(2) Bicycle parking spaces shall provide a convenient place to lock a bicycle and shall be at least six feet long, two feet wide, and seven feet high. Upright bicycle storage structures are exempted from the parking space length standard.

(3) A 5-foot aisle for bicycle maneuvering shall be provided and maintained beside or between each row of bicycle parking.

(4) Bicycle racks or lockers shall be anchored to the surface or to a structure.

(5) Covered bicycle parking facilities may be located within a building or structure, under a building eave, stairway, entrance, or similar area, or under a special structure to cover the parking. The cover shall leave a minimum 7- foot overhead clearance and shall extend over the entire parking space. If a bicycle storage area is provided within a building, a sign shall be placed at the area indicated that it is for bicycle parking only.

(6) Bicycle parking shall not interfere with pedestrian circulation.

[Adopted A-133L 10/5/99]

7. Vehicular Parking Area Improvements

All public or private parking areas, which contain four or more parking spaces, and outdoor vehicles sales areas, shall be improved according to the following:

a. All vehicular parking areas shall have a durable, dust-free surfacing of asphaltic concrete, Portland cement concrete, or other approved materials as specified by the Planning ~~Commission~~ Official.

(1) Vehicular parking areas as a part of a proposed development shall incorporate driveway designs and methods that reduce storm water run-off. Design methods include, but are not limited to: p~~P~~orous concrete, turf pavers, plastic grid systems, or ribbon driveways.

b. All vehicular parking areas, except those in conjunction with a single-~~-~~family or ~~two family~~duplex dwelling, shall be graded so as not to drain storm water over the public sidewalk or onto any abutting public or private property.

c. All vehicular parking areas, except those required in conjunction with a single family or two family dwelling, shall provide a substantial bumper or curb stop which will prevent cars from encroachment on abutting private or public property.

d. All vehicular parking areas and service drives shall be enclosed along any interior property which abuts any residential district, with a 70 percent opaque, site- obscuring fence, wall or hedge not less than three (3) feet nor more than six (6) feet in height, but adhering to the visual clearance and front and interior yard requirements established for the district in which it is located. If the fence, wall or hedge is not located on the property line, said area between the fence, wall or hedge and the property line shall be landscaped with lawn or low-growing evergreen ground cover. All plant vegetation in this area shall be adequately maintained by a permanent irrigation system, and said fence, wall or hedge shall be maintained in good condition. Screening or plantings shall be of such size as to provide the required degree of screening within 24 hours after installation. Adequate provisions shall be maintained to protect wall, fences, or plant materials from being damaged by vehicles using said parking areas. Any lights provided to illuminate any public or private parking area or vehicle sales area shall be so arranged as to reflect the light away from any abutting or adjacent residential district or use.

e. Any lights provided to illuminate any public or private parking area or vehicular sales area shall be shielded and so arranged as to reflect the light away from any abutting or adjacent property or public right of way.

f. All vehicular parking spaces shall be appropriately and substantially marked. [Adopted A-133L 10/5/99]

C. Pedestrian and Bicycle Access and Circulation

1. Internal pedestrian circulation shall be provided within new commercial office, and multi-family residential developments through the clustering of buildings, construction of hard surface walkways, landscaping, or similar technique.

Within the CI zone, pedestrian walkways shall be provided for ingress and egress from the public street(s) and primary frontage sidewalk to all primary building entrances in the form of a continuous separated pathway of at least 5 feet in width. A continuous separated pedestrian walkway of at least 5 feet in width shall also be provided for pedestrian access from parking lots to buildings in the development.

2. Pedestrian access to transit facilities shall be provided from new commercial, employment, and multi-family residential development while existing developments shall provide safe and accessible pedestrian access to transit facilities when a site changes uses

or is retrofitted.

If development proposed in the CI zone or on LI-zoned property east of Interstate 5 is located within 250 feet of an existing or proposed transit stop, the applicant shall work with the Lane Transit District to locate a transit stop and shelter directly adjacent or as close as possible to the main building entrance. Any required proposed transit stops shall conform to the standards of the Lane Transit District.

3. **Internal pedestrian and bicycle systems** shall connect with external existing and planned systems, including local and regional travel routes and activity centers such as schools, commercial areas, parks and employment centers.

~~**[Adopted A-133L 10/5/99]**~~

4. **Coburg Loop Path Standards.**

Where development occurs on land abutting or within the existing or proposed alignment for the Coburg Loop Path, the City may require that the land within the alignment be reserved for the Path. Such reservation shall be accomplished by dedication to the City, by creation of a permanent public access easement, or by other means deemed acceptable to the City. The land subject to the dedication or public access easement shall include land adequate to accommodate the full 16-foot wide right-of-way, and shall be shown on the final plat, if required, or approved site plan, where final plat is not required. ~~For lots abutting or within the existing or proposed alignment or throughway for the Coburg Loop Path, the extension and/or continuation of the Coburg Loop Path shall be required. The Path shall be conveyed in accordance with the Master Planning requirements set forth in ARTICLE X.V.F.4 Master planned Developments, Open Space. Otherwise a permanent public access easement or public dedication of land shall be created for the full 16 foot width of the Path Design Standard and is preferably shown on the final plat, but may be conveyed on a separate instrument.~~

a. The Path shall meet all Americans with Disabilities Act (ADA) and American Association of State Highway and Transportation Officials (ASHTO) engineering standards and shall be approved by the City Engineer.

b. Path Width. Paved Path width shall be 10 feet. Exceptions may be made for areas with significant constraints such as slope, sensitive natural resources, or large trees. Any exception area shall not result in a path that is less than 8 feet wide.

c. Lateral and Vertical Clearance.

(1) A 2-foot or greater shy or clear distance shall be required on both sides of the Path. This area shall be clear of vertical objects such as signs~~.~~, posts, and trees. Exceptions may be made in cases where existing large trees would otherwise need to be removed.

(2) Overhead clearance shall be maintained at 10 feet.

d. Setbacks from Roads and Alleyways.

(1) Where the path is parallel or adjacent to a road or alleyway, a 5-foot separation from the edge of the roadbed is required.

(2) Landscaping is required within the setback area in accordance with respective district regulations.

(3) Setback exceptions may be made through the variance process (Article XIX) for areas with significant constraints, such as sensitive natural resources, street trees, structures, or utilities. In cases where a 5-foot setback is unattainable, a physical barrier such as a fence or wall shall be erected between the roadway and the Path edge to provide separation between path users and vehicles. The barrier ~~should~~ must be between 42 and 54 inches in height, unless the required height creates a hazard. Openings in the railing must not exceed 6 inches in width. No chain link fencing is allowed.

e. Surfacing.

(1) The Path shall be constructed from Portland cement concrete with a minimum thickness of 5 inches set on 6 inch compacted aggregate base.

(2) A 2-foot aggregate apron shall be placed on both sides of the hard-surfaced Path.

(3) Saw cut joints should be located every 6-8 feet to help prevent cracking.

(4) Where the Path is crossed by a driveway or where regular vehicle crossing will occur, the pathway shall be reinforced with steel mesh, re-bar, or other reinforcing material to prevent cracking.

f. Grades and Cross-slope.

(1) The maximum grade shall be 5%. Steeper grades are allowed for up to 500 feet not to exceed 8% grade providing there is ample horizontal alignment and sight distance.

D. Sign Regulations

See Coburg Sign Ordinance A-155 (reprinted 01/30/01)

E. Street, Alleys and Other Public Way Standards

1. ~~New development~~ Improvements to City's Streets shall conform to the standards as set forth in this section. ~~shall conform to the City's Street Standards, as adopted in the Transportation System Plan (TSP) and set forth in Article VIII.~~

a. **Dedication of Street Right-of-Way.** City may require dedication of additional public right-of-way in order to meet street standards.

b. **Street Design Standards** for public streets and the current and future functional classification plan for all streets within Coburg, including those owned by Lane County.

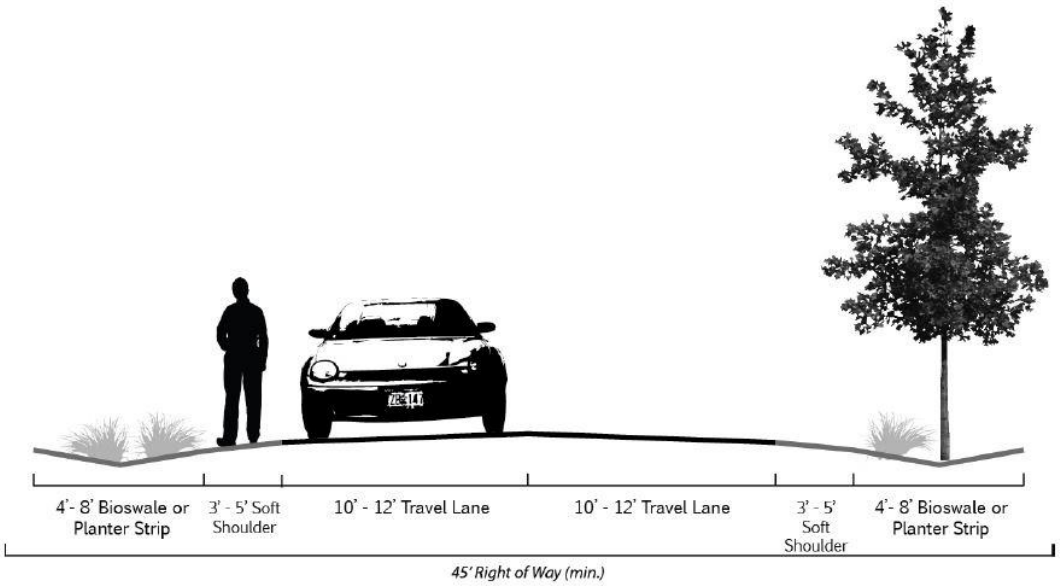
(i) Street Design Standards ~~(~~Table VIII(E)(1)(b)(i):

~~Table~~ (Table VIII(E)(1)(b)(i): Coburg Street Design Standards

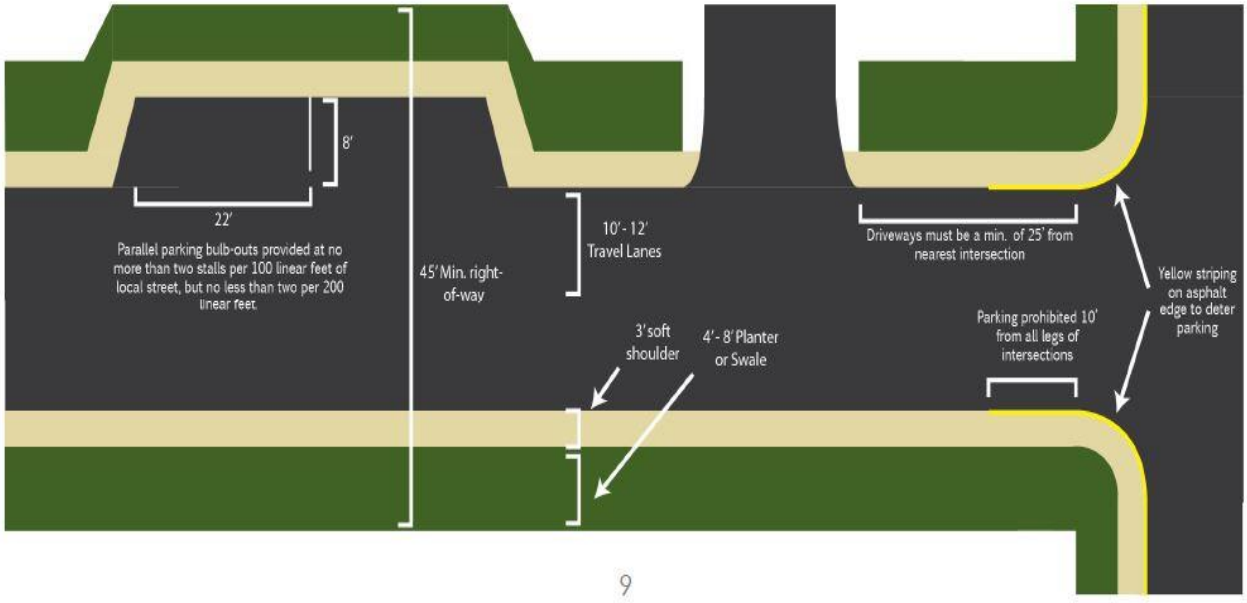
Functional Class	Min. ROW Width	Travel Lanes	Planter with Street Trees or Swale with Street Trees	On-Street Parking	Sidewalks, Curbs and Gutters	Soft Shoulder	Bicycle Lanes
Alley	16'	12' min. paved width	none	Prohibited	None	None	None
Local Access	45'	10' min., 12' max.	Swale - 4' min., 8' max., both sides	Max: 2 per 100 l.f., Min: 2 per 200 l.f.	None	3' min., 5' max., one side min. (striped)	None
Highway Commercial and Industrial Local Street	51'	11' min., 12' max.	Planter- 6' min.	7', one side	5' min. sidewalk; curb and gutter both sides,	None	None
Collector	55'	11' min., 12' max.	Planter - 4' min., 8' max., both sides	7' min., if required	5' min. sidewalk; curb and gutter both sides,	None	~~None~~ Required in Commercial and Industrial Zones and per the City's TSP and Parks and Open Space Master Plan. If required, 5' min.
Coburg Loop Off-road Paths	16'	10' min., paved width	None	N/A	N/A	2' gravel, each side	N/A

** Note: these design standards are proposed for Coburg-owned facilities. Lane County owns and operates several collector and arterial streets within Coburg and Lane County Street Standards apply to these county owned facilities*

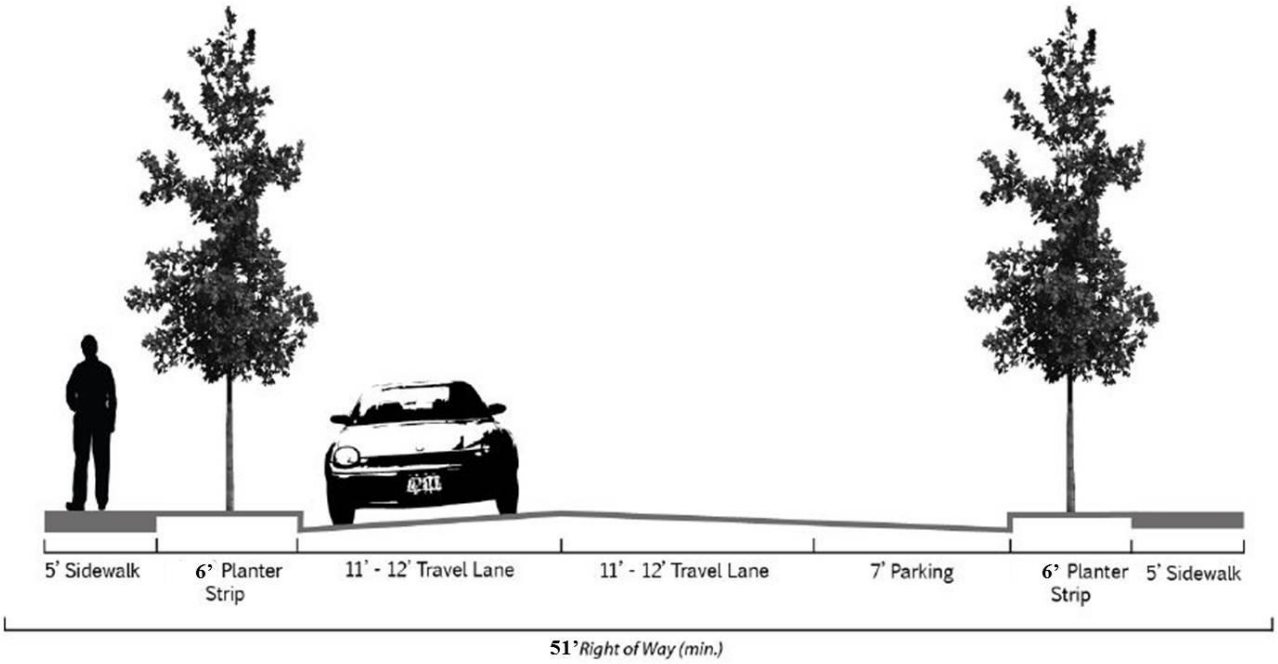
(ii) Local Street Standards



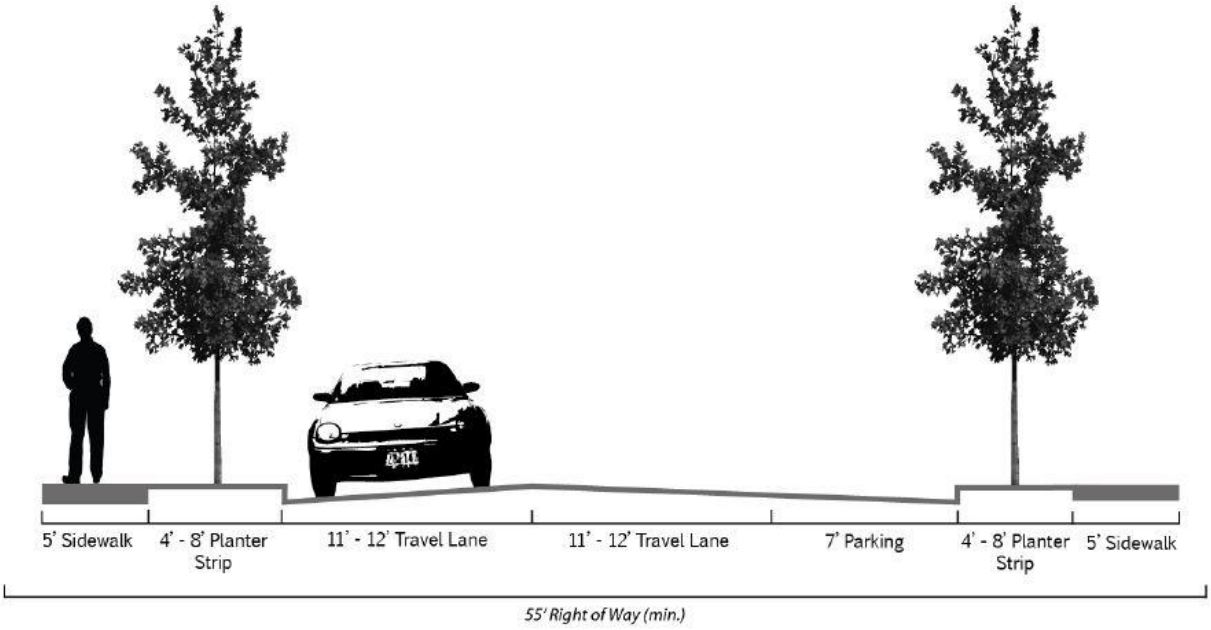
(iii) Local Street Detailed Standards



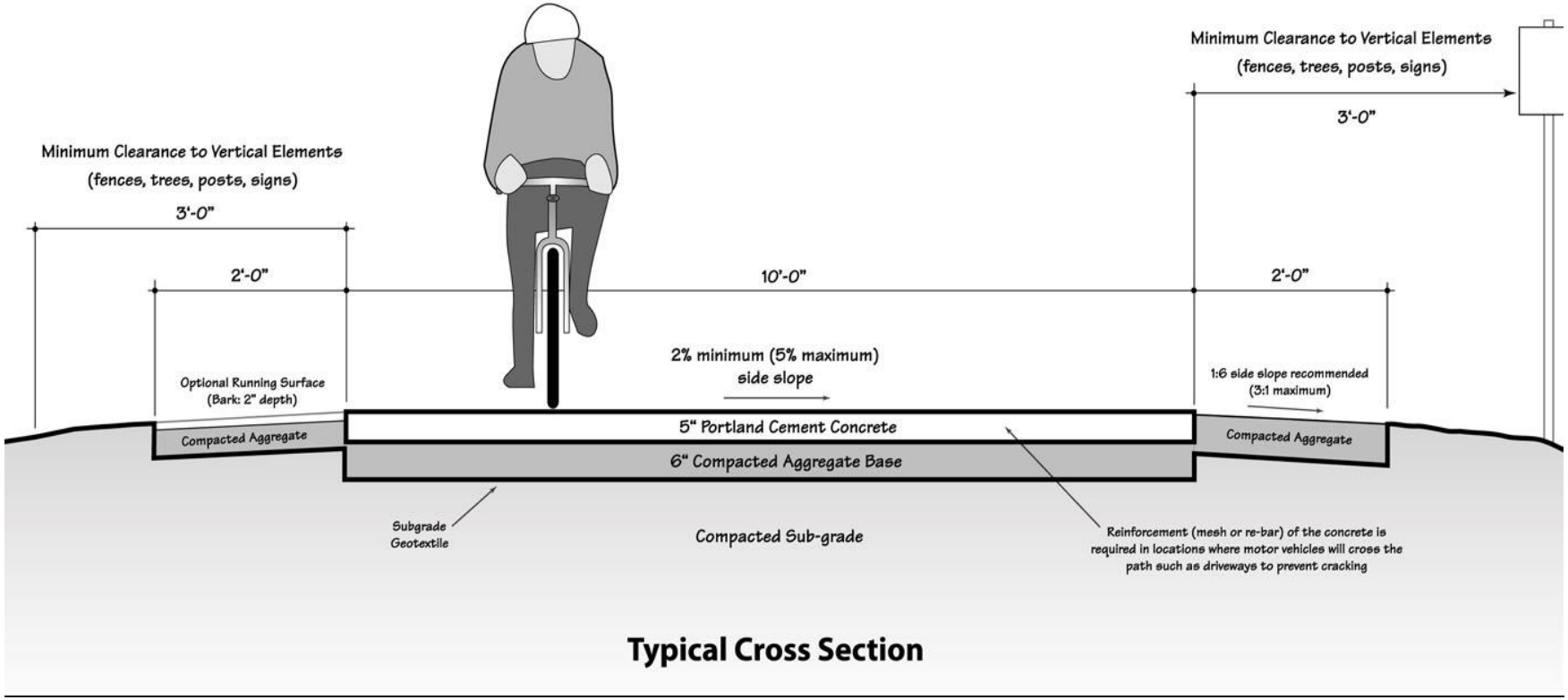
(iv) Commercial and Industrial Street Standards



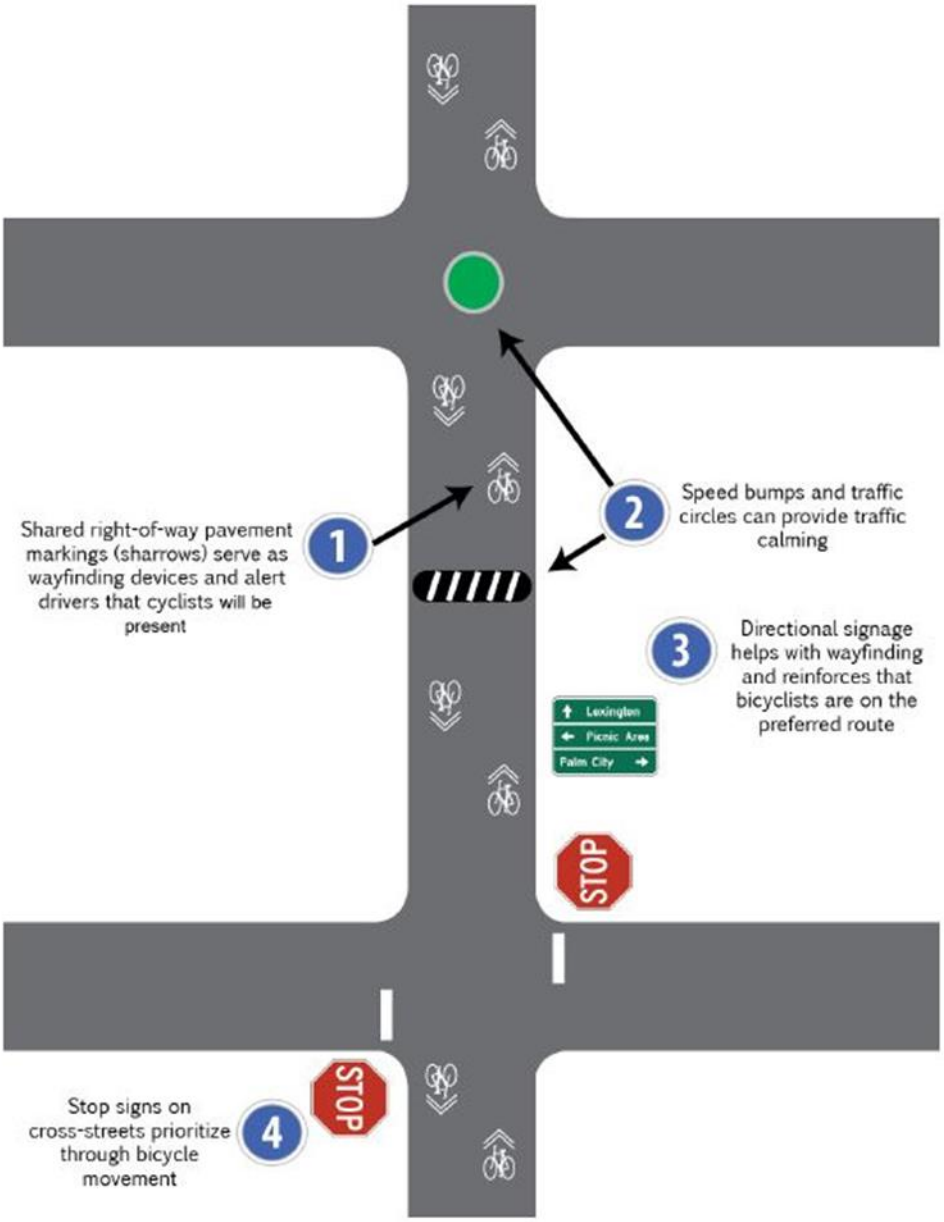
(v) Collector Street Standards



(vi) Coburg Loop Path Standards



(vii) Bicycle Boulevards. Streets designated as Bicycle Boulevards in the Parks and Open Space Master Plan shall be improved with a combination of signage, traffic calming, crossing treatments, and street markings. Sharrows, shown as ①in the graphic below, and stop signs, shown as ④in the graphic, are required. Speed bumps, traffic circles, and directional signage, shown as ② and ③ are optional.



~~c. Street Improvements~~

~~TABLE VIII - 1~~

~~Functional Class Zoning District~~	~~Sidewalks, Curbs, and Gutters~~	~~Bicycle Lanes~~	~~Street Trees~~	~~Lane Width~~
~~Residential (TR/TMR) Commercial and Industrial~~	~~Optional, if need can be shown Required~~	~~*Optional~~	~~Required~~	~~10-12'~~
~~Central Business (C-1) Local~~	~~Optional, if need can be shown Not Specified~~	~~*Optional~~	~~Required~~	~~10-12'~~

~~Highway Commercial (C-2) Collector~~	~~Required~~	~~Required~~	~~Required~~	~~11-12'~~
~~Light Industrial (L-1) Coburg Loop Path~~	~~Required~~	~~Required~~	~~Required~~	~~10'~~
~~Park, Recreation, Open Space (PRO)~~	~~Not Specified~~	~~*Not Specified~~	~~Not Specified~~	

~~* Required if street is a designated Bicycle Boulevard. See section 1(b)(vi).~~

~~**[Adopted A-133L 10/5/99]**~~

d. Landscaping. See Article VIII, Section F(2) for standards.

e. Access and Spacing Requirements.

(1) When new approach roads are planned or constructed near the interchange, unless no alternative exists, the nearest intersection on a crossroad shall be no closer than 1,320 feet from the I-5 interchange. Measurement is taken from the ramp intersection or the end of a free flow ramp terminal merge lane taper.

f. Street Connectivity.

(1) No dead-end streets will be permitted, unless topographic or environmental constraints require a dead-end. If a street dead-ends, pedestrian and cyclist accessways must be provided. The dead-end must be a "hammer head" or equivalent design for emergency vehicle access and turn-around, and must be built~~d~~ to fire code.

(2) Streets that are planned to connect through when adjacent developments are constructed may temporarily dead-end, provided a "hammer head" or equivalent turn-around, built to fire code, is provided in the interim period.

(3) The City may require a~~A~~dditional pedestrian and bike connections adjacent to new residential development.

2. ~~**Landscaping**~~ Street trees shall be provided along streets according to the following standards and in compliance with City of Coburg Public Works Department recommended list of street trees. ~~and shall otherwise comply with the landscape standards of Article VIII.H~~L4.b. of this Code.

a. Street trees are required for all new development, and shall be maintained by the adjacent property owner.

b~~a~~. Tree wells at a minimum of five (5) feet in width shall be installed next to the curb or edge of pavement.

c.~~b~~ The minimum caliper or diameter breast height at planting shall be 2-inches, based on the American Association of Nurserymen Standards.

d.~~c~~ Trees shall be planted ~~at~~ no more than 25-feet ~~on-center~~ apart, except where this spacing would conflict with existing trees, retaining walls, curb cuts, utilities or similar permanent physical barriers.

e.~~d~~ Plant species must be native or not require irrigation once established. ~~The use of drought-tolerant plant species is encouraged, and may be required when irrigation is not~~

~~available.~~ Underground irrigation shall be provided for trees that are not drought-tolerant. If the plantings fail to survive or are otherwise not maintained in good condition, the property owner shall replace them with an equivalent species and size within 180 days.

f.~~e~~ The use of large canopy trees is encouraged.

g. Nothing contained herein shall be deemed to impose any liability upon the city, its officers, or employees, nor to relieve the owner of any private property from the duty to keep any tree or shrub upon his or her property or under his or her control from constituting a hazard or public nuisance.

~~**3. Street improvements** shall be as specified in table VIII-1, unless otherwise indicated in the local TSP.~~

~~**Table VIII-1**~~

~~**Zoning District**~~	~~**Sidewalks, Curbs, and Gutters**~~	~~**Bicycle Lanes**~~	~~**Street Trees**~~
~~Residential (TR/TMR)~~	~~Optional, if need can be shown~~	~~*Optional~~	~~Required~~
~~Central Business (C-1)~~	~~Optional, if need can be shown~~	~~*Optional~~	~~Required~~
~~Highway Commercial (C-2)~~	~~Required~~	~~Required~~	~~Required~~
~~Light Industrial (L-1)~~	~~Required~~	~~Required~~	~~Required~~
~~Park, Recreation, Open Space (PRO)~~	~~Not Specified~~	~~*Not Specified~~	~~Not Specified~~

~~*** Required if street is a designated Bicycle Boulevard. See section 1(b)(vi).**~~

~~**[Adopted A-133L 10/5/99]**~~

3. Additional Street Standards

a. Street and sidewalk design must be in compliance with American Association of State Highway and Transportation Officials (AASHTO) standards, National Association of City Transportation Officials (NACTO) standards, Manual on Uniform Traffic Control Devices (MUTCD), Oregon standard drawings and specifications, and City of Coburg standards.

b. Grades and curves.

(1) Grades shall not exceed five ~~(5)~~ percent on minor arterials, ~~ten (~~10~~)~~ percent on collector streets or ~~twelve (~~12~~)~~ percent on other streets. Center line radii of curves shall not be less than 200 feet on minor arterials and collectors streets 100 feet on other streets, and shall be to an even ~~ten (~~10~~)~~ feet. Where existing conditions, particularly the topography, make it otherwise impractical to provide buildable sites, the Planning ~~Commission~~ Official may accept steeper grades and sharper curves. In flat areas, allowance shall be made for finished street grades having a minimum slope, preferably, of at least one ~~(1)~~ percent.

(2) A minimum required 100 foot tangent section at all intersections shall be required.

c. Blocks.

(1) General. The length, width, and shape of blocks shall take into account the need for adequate building site size and street width and shall recognize the

limitations of the topography.

(2) Size. ~~No block shall be longer than 400 600 feet in length between street corner lines in residential zones. The recommended minimum length of blocks along an arterial street in non-residential zones is 1200 feet.~~ Minimum block length for new local streets is 400 feet and maximum block length is 600 feet, unless topographic or environmental constraints are present.

(3) Easements.

(i) Utility lines – Easements for water mains, electric lines or other public utilities shall be dedicated wherever necessary. The easements shall be at least 10 feet wide and centered on lot or parcel lines, except for utility pole tieback easements which may be reduced to six feet in width.

(ii) Water courses – if a tract is traversed by a water course such as a drainage way, channel or stream, there shall be provided a storm water easement or drainage right-of-way conforming substantially with the lines of the water course, and such further width as will be adequate for the purpose. Streets or parkways parallel to the major water courses may be required.

d. Intersections of Streets, Alleys, and Paths.

(1) Angles. Streets shall be laid out to intersect at angles as near to right angles as practical except where topography requires a lesser angle, but in no case shall the acute angle be less than 80 degrees unless there is a special intersection design. A minor arterial or collector street intersecting with another street shall have at least 100 feet of tangent adjacent to the intersection unless topography requires a lesser distance. Other streets, except alleys, shall have at least 50 feet of tangent adjacent to the intersection unless topography requires a lesser distance. Intersections which contain an acute angle of less than 80 degrees or which include a minor arterial street shall have a minimum corner radius sufficient to allow for a roadway radius of 20 feet and maintain a uniform width between the roadway and the right-of-way line. Ordinarily, intersection of more than two streets at any one point will not be approved.

e. Reserve strips. Reserve strips or street plugs controlling access to streets will not be approved unless necessary for the protection of the public welfare or of substantial property rights, and in these cases they may be required. The control and disposal of the land comprising such strips shall be placed within the jurisdiction of the City under conditions approved by the Planning Official ~~Commission~~.

f. Public access ways. When necessary for public convenience and safety, the Planning Commission may require the land divider to dedicate to the public access ways to connect cul-de-sacs, to pass through oddly shaped or unusually long blocks, to provide for networks of public paths according to adopted plans, or to provide access to schools, parks or other public areas, of such design, width and location as reasonably required to facilitate public use.

g. Street Names. Except for extensions of existing streets, no street name shall be used which will duplicate or be confused with the name of an existing street. Street names and numbers shall conform to the established pattern in the City and shall be subject to the approval of the Planning Official ~~Commission~~. All street signs and street lights shall

be installed by the City and the cost of such installation and materials shall be assessed to the developer of the land division or partition.

~~h. Street Trees. Street trees are required for all new development. Street trees shall be of the type as described in the City of Coburg Public Works Department Recommended list of street trees. Street trees shall be installed in the required planting strip at the rate of one tree for each 35-feet lineal feet of street frontage.~~

h. Alignment. As far as is practical, streets other than minor streets shall be in alignment with existing streets by continuations of the center lines thereof, staggered street alignment resulting in "T" intersections shall, whenever practical, leave a minimum distance of 200 feet between the center lines of streets having approximately the same direction and, in no case, shall be less than 125 feet.

i. Existing Streets. Whenever existing streets adjacent to or within a tract are of inadequate width, additional right-of-way shall be provided at the time of the land division.

j. Half Streets. Half streets, while generally not acceptable, may be approved where essential to the reasonable development of the subdivision of partition when in conformity with the other requirements of these regulations and when the Planning ~~Commission~~ Official finds it will be practical to require the dedication of the other half when the adjoining property is divided. Whenever a half street is adjacent to a tract to be divided, the other half of the street shall be provided within such tract. Reserve strips and street plugs may be required to preserve the objectives of half streets.

k. Streets Adjacent to Railroad Right-of-way. Wherever the proposed land division contains or is adjacent to a rail road right -of-way, provision may be required for a street approximately parallel to and on each side of such right-of -way at a distance suitable for the appropriate use of the land between the streets and the railroad. The distance shall be determined with due consideration at cross streets of the minimum distance required for approach grades to a future grade separation and to provide sufficient depth to allow screen planting along the railroad right-of-way.

l. Marginal Access Streets. Where a land division abuts or contains an existing or proposed arterial street, the Planning Official ~~Commission~~ may require marginal access streets, reverse frontage lots with suitable depth, screen planting contained in a non-access reservation along the rear or side property line, or other treatment necessary for adequate protection of residential properties and to afford separation of through and local traffic.

m. Alleys. Alleys shall be provided in commercial and industrial districts, unless other permanent provisions for access to off -street parking and loading facilities are approved by the Planning Official ~~Commission~~. The corners of alley inter sections shall have a radius of not less than 12 feet

F. Other Public Improvements

1. Applicability. The following requirements apply to all new construction or as specified otherwise. All public improvements must conform to city ordinances and policies, specifications, or standards.

2. Procedures. Public improvements installed by any person or entity that is not the ~~city~~ City shall comply with the following procedures:

a. Improvement work shall not be commenced until plans have been checked for adequacy and approved by the City. To the extent necessary for evaluation of the proposal, the plans may be required before approval of the tentative plan of a subdivision or partition.

b. Improvement work shall not commence until after the City is notified, and if work is discontinued for any reason it shall not be resumed until after the City is notified.

c. Improvements shall be constructed under the inspection and to the satisfaction of the City. The City may require changes in typical sections and details in the public interest if unusual conditions arise during construction to warrant the change.

d. Underground utilities installed in streets shall be constructed prior to the surfacing of the streets. Stubs for service connections for underground utilities shall be placed to a length eliminating the necessity for disturbing the street improvements when service connections are made.

e. A map showing improvements as built shall be filed with the City upon completion of the improvements.

3. Specifications for Improvements. Public improvements and private streets shall also be consistent with public works design standards and standard specifications as adopted by the Public Works Director.

4. Dedications. As a condition of any development, the City may require dedication and improvement of public ways for automobile, bicycle and pedestrian use; easements for water, wastewater, and stormwater infrastructure; easements for utilities; dedication of open space; and dedication for other public purposes.

5. Sewage. All buildings within the city limits must connect to the city sewer system.

6. Water Supply. All lots and parcels in any land division shall be served by the Coburg water system.

Water lines and fire hydrants serving each building site in ~~the~~ a subdivision and connecting the subdivision to city mains shall be installed. The design shall take into account provisions for extension beyond the subdivision and adequately grid the city system.

If water mains are required to directly serve property outside the subdivision, the City will reimburse the subdivider an amount estimated to be the proportionate share of the cost for each connection made to the water mains by property owners outside the subdivision for a period of ten years from the time of installation of the mains. The actual amount shall be determined by the city at the time of approval of the plat, considering current construction costs.

7. Surface Drainage. Drainage facilities shall be provided within any new subdivision and connect the subdivision drainage to drainageways outside the subdivision. Design of the drainage

system within the subdivision shall take into account the capacity and grade necessary to maintain unrestricted flow from areas draining through the subdivision and to allow extension of the system to serve such areas.

8. **Streets.** Public streets, including alleys, within a subdivision and public streets adjacent but only partially within a subdivision shall be improved to City street standards in Article VIII. Catch basins shall be installed and connected to drainage tile leading to drainage ways. Upon completion of the street improvement, monuments shall be re-established and protected in monument boxes at every public street intersection and all points of curvature and points of tangency of their centerlines.

9. **Sidewalks.** Where required, sidewalks shall have a minimum paving width of five feet.

10. **Bicycle routes.** If appropriate to the extension of an existing or planned system of bicycle routes, the Planning Commission may require the installation of separate bicycle lanes within streets and separate bicycle paths.

11. **Improvements in Partitions.** The same improvements shall be installed to serve each building site of a partition as is required of a subdivision. However, if the City finds that the nature of development in the vicinity of the partition makes installation of some improvements unreasonable, the City shall except those improvements.

12. **Other.** The developer shall make necessary arrangements with utility companies or other persons or corporations affected for the installation of underground lines and facilities. Electrical lines and other wires, including but not limited to communication, street light and cable television, shall be placed underground.

G. Exception to Height Regulations

The height limitations contained in ~~the~~ ARTICLE VII ~~Schedule of District Regulations~~ do not apply to spires, belfries, cupolas, antennae, water tanks, ventilators, chimneys or other appurtenances usually required to be placed above the roof level and not intended for human occupancy.

H. Fences and Walls

a. Fences and walls are allowed i~~I~~n any required front yard setback, provided they do not exceed 3.5 ~~three and one-half (3½)~~ feet in height.

b. Fences and wall are allowed i~~I~~n any rear or side yard, provided they do not exceed six ~~(6)~~ feet in height.

c. The height of fences or walls in rear or sideyard setback areas abutting a public street shall be ~~forty-eight (48)~~ inches or less if said fences or walls are within ~~ten (~~10~~)~~ feet of any public street except an alley.

d. The framework for newly constructed fences and walls shall face toward the builder's property, except where fences are jointly constructed.

e. All fences shall meet the vision control regulations in section VIII. A.

I. Screening Standards for Multi-Family, Commercial and Industrial Development

1. Unless otherwise specified in this code, screening shall be required:

a. When commercial or industrial districts abut residential districts

b. For outdoor mechanical devices

c. For outdoor storage yards and areas

d. For trash receptacles

e. For multi-family developments

f. Parking areas with more than ~~two 2~~ off ~~-~~street spaces

2. **Screening** shall be a non-see through or sight-obscuring fence, evergreen hedge, or decorative wall (i.e., masonry or similar quality material) shall be erected along and immediately adjacent to the abutting property line.

3. **Trash receptacles.** Trash receptacles shall be oriented away from adjacent buildings and shall be completely screened with an evergreen hedge or solid fence or wall of not less than six ~~6~~ feet in height.

4. **Parking lots.** Parking areas with more than ~~two 2~~ off street spaces shall be screened with an evergreen hedge or fence at least four ~~(4)~~ feet high. To the greatest extent practicable, such parking areas should be situated away from neighboring residential units and shall be located to the rear or side of the multi-family development. Parking areas with five ~~5~~ or more spaces shall be landscaped and provide the required number of parking spaces in accordance with Section VIII of this Code.

5. **The following screening standards shall apply:**

a. Such a fence, wall or other structure shall screen at least 70% ~~percent~~ of the view between the districts. A hedge shall, within one year of planting, screen 70 % ~~percent~~ of the view between the districts.

b. The maximum allowable height of fences and walls is six ~~6~~ feet, as measured from the lowest grade at the base of the wall or fence, except that retaining walls and terraced walls may exceed six ~~6~~ feet when permitted as part of a site development approval, or when approved to construct streets and sidewalks.

c. A building permit is required for walls exceeding six ~~6~~ feet in height, in conformance with the Uniform Building Code.

d. If vegetation is used, it must remain living after planting and shall be continuously maintained by the property owner. If the vegetation fails to survive or is otherwise not maintained in good condition, the property owner shall replace them with an equivalent species and size within 180 days.

e. Any fence, hedge and wall shall comply with vision clearance standards in section VIII.A. and provide for pedestrian circulation where required.

J. Cottage Housing

1. Cottage Housing Development and Design Standards

a. Table 4(2)(a) Development Standards:

Cottage Size	The gross floor area of each cottage shall not exceed 1200 square feet. At least 50% of the cottages in each cluster shall have a gross floor area less than 1000 square feet. "Gross floor area" does not include: a) interior space with a ceiling height of six feet or less; b) basements, c) architectural projections, such as bay windows, fireplaces, or utility closets, that are less than 24 inches deep and six feet wide, d) attached, unenclosed porches, and e) garages or carports. The footprint may not exceed 850 square feet.
Density	Cottages may be built at up to twice the allowed density for single family detached residences in the underlying zone A cluster shall consist of no more than 10 and no fewer than four units.
Setbacks	The minimum setback for any structure shall be 10 feet from any public right-of-way or other structure. Cottages shall be no more than 25 feet from the common open space, measured from the façade of the cottage to the nearest delineation of the common open space. Distance between structures shall be a minimum of five feet.
Maximum Height	25'
Lot Coverage	Max. for all structures in cottage development shall not exceed 60%

b. Design Standards

(1) **Orientation of Dwelling Units. Dwellings within a cottage housing development shall be clustered and homes within the clusters shall be oriented to promote a sense of community within the development.**

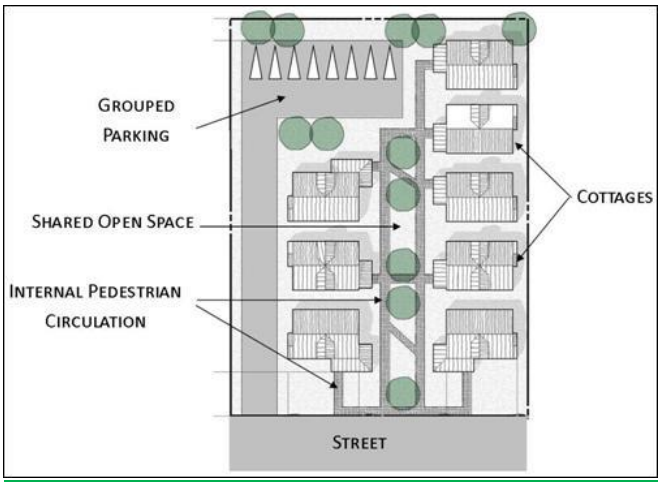
(i) Each cottage shall have a primary entry oriented to a common open space.
(ii) ADUs are not allowed as part of a cottage housing development.

(2) **Off-Street Parking Requirements**

(i) One off-street parking space shall be required for each cottage.
(ii) One additional guest parking space shall be provided for every three cottages, rounded up to the next whole number.
(ii) The off-street parking requirements may be waived or reduced if sufficient on-street parking is available within 800 feet of the property.

(3) **Parking Design**

(i) Parking shall be separated from the common area and public streets by landscaping and/or architectural screening. See image below for visual representation of grouped parking. Image not intended to be actual construction of cottage housing units.



(ii) Parking areas shall be accessed only by a private driveway or public alley.
(iii) Design of carports and garages, if provided, – including roof lines-- shall be similar to and compatible with that of the cottages.
(iv) Parking areas shall be limited to no more than five contiguous spaces.

(4) **Walkways**

(i) A system of interior walkways shall connect each cottage to at least one other cottage and to the parking area.

(5) **Community Assets**

(i) Common Open Space. Each cluster of cottages shall have at least 200 square feet of open space per cottage, with ~~the~~ a common open space provided in one contiguous, useable space.
(ii) Community Building. Single-story community buildings, limited to 1200 square feet, are permitted, so long as they are clearly incidental in use ~~and size~~ to the dwelling units. A community building converted from an existing building may be larger than 1200 feet.

K. Accessory Dwelling Units (ADUs)

1. General Standards for Attached Accessory Dwelling Units.

a. Creation. An ADU may be created through new construction or conversion of, or addition to, an existing structure (including legal non-conforming structures).

b. Size. The total square footage of an ADU shall not exceed 1,000 square feet. Total square footage is measured at the exterior perimeter walls and is defined as all square footage inside of the dwelling, including, but not limited to hallways, entries, closets, utility rooms, stairways and bathrooms.

c. Building Height/Interior Setback.

(1) For ADUs located in the Traditional Residential (TR) zone building heights, and setbacks shall conform to the standards set forth in Article VII, Section A(6)&(7).

(2) For ADUs in located In the Traditional Medium Residential (TMR) zone, building heights and setbacks shall conform to the standards set forth in Article VII, Section B (5)&(6).

~~(3) Minimum Attachment. For attached ADUs, the ADU and the primary dwelling unit must share a common wall or ceiling for a minimum length of 8 feet to be considered attached.~~

d. Maximum Bedrooms. The ADU shall contain no more than 2 bedrooms.

e. Owner/Occupancy Requirements. Either the primary dwelling or the ADU shall be the principal residence of the property owner. The principal residence must be occupied for a minimum of 6 months of each calendar year by a property owner who is the majority owner of the property as shown in the most recent Lane County Assessor's roll. If there is more than one property owner of record, the owner with the majority interest in the property shall be deemed the property owner. Prior to issuance of a building permit for an ADU, the property owner must provide the City with a copy of the property deed to verify ownership, and two forms of documentation to verify occupancy of the primary residence. Acceptable documentation for this purpose includes voter's registration, driver's license, homeowner's insurance, income tax filing, and/or utility bill. When both the primary and ADU are constructed at the same time, such documentation must be provided prior to final occupancy.

f. Temporary Leave. A property owner may temporarily vacate the principal residence up to one year due to a temporary leave of absence for an employment, educational, volunteer opportunity, or medical need. The property owner must provide the City proof of temporary leave status from the property owner's employer, educational facility, volunteer organization or medical provider, and a notarized statement that the property owner intends to resume occupancy of the principal residence after the one year limit. During the temporary leave, the property owner may rent or lease both units on the property. Leaves in which property owner is temporarily absent shall not be consecutive and shall not occur more than once every 5 years. This standard may be adjusted at the discretion of the City.

2. General Standards for Detached ADUs. In addition to the standards in Article VIII, Section K.1 ~~J(6)(a)~~ detached ADUs shall comply with the following:

a. Building Size. Up to 300 square feet of un-heated garage or storage space attached to the ADU is allowed and is not counted in the allowable total building square footage.

b. Pedestrian Access. A pedestrian walkway shall be provided from the street or alley to the primary entrance of the ADU. The pedestrian walkway shall be a hard surface (concrete, asphalt, gravel or pavers).

c. Outdoor Storage/Trash. Outdoor storage and garbage areas shall be screened from view from adjacent properties and those across the street or alley with a minimum 42-inch tall and 100 percent site obscuring fence or enclosure on at least three sides.

L. Design Standards and Guidelines

1. Purpose

The design standards in this section are intended to ensure that new development contributes to the overall livability of the community by:

a. Preserving and enhancing the small town and historic character of the Coburg;

b. Ensuring architectural compatibility;

c. Providing a physical setting that is safe and inviting for walking and other pedestrian activity;

d. Promoting design that is aesthetically pleasing and consistent with the values of the community as expressed in the Comprehensive Plan.

2. Applicability

These standards apply to all new development and substantial improvements, unless otherwise stated within the Coburg Zoning Code. Substantial improvements shall include the following:

a. Additions that consist of more than 33% of the total floor area of the primary structure and are visible from a public-right-of-way; or

b. Additions that consist of more than 50% of the total floor area of the primary structure and are not visible from a public-right-of-way.

3. Standards and Guidelines

Terms used in this section are intended as follows:

a. Purpose – The purpose statement explains the intent of the standard for use in interpretations and discretionary reviews where the standards are applied. Design Standard – The design standards are clear and objective standards that shall be applied during administrative and/or discretionary reviews.

b. Design Guidelines – The design guidelines are encouraged but not required as part of administrative reviews. They may be required as part of discretionary reviews.

4. Single Family Detached, Manufactured, Single-Family Attached and Multi-Family Dwellings (do not apply to mixed use structures; see Article VIII, Section M)

a. Front Porch (does not apply to multi-family unless specified)

(1) Purpose

(i) Together with street-facing window and the front door, front porches and deck connect the inside of the house with the outside of the house. Porches and decks, in the best examples, make “outside rooms” by extending the indoor living spaces.

(ii) Porches and decks enable residents to participate either actively or passively with activities on the street.

(iii) Porches and decks contribute to safety of the neighborhood by providing residents with a place to monitor activity on the street.

(2) Design Standard (minimum requirement)

(i) Front porches must be oriented towards the street.

(ii) The minimum finished height of a front porch is 16 inches above grade.

The maximum-finished grade for an entry porch in a single-family residential zone is 3 feet above grade.

(iii) The minimum roof pitch for a front porch is 3:12.
(iv) Porches and decks must be a minimum of 5 feet wide.
(v) Porches and decks need to be a minimum of 25 percent of the length of the primary street facing façade.
(vi) For multi-family dwellings, ground floor units closest to street frontage must have a front porch that is a minimum of five feet wide.

(3) Design Guidelines

(i) Porches more than 16 inches above grade should consider a hand rail from the top of the front porch to the first stair.
(ii) Tapered wood columns often exhibit a 2:1 ratio from the top of the column to the base of the column with the base of the column not exceeding 20 inches.
(iii) Wider front porches are preferred for their ability to make comfortable spaces.
(iv) The use of a projecting wood cap or sill is encouraged at the base of the column.

b. Landscaping

(1) Purpose

(i) Landscaping helps integrate the ~~house~~ dwelling with the lot.
(ii) Landscaping enhances the site through the careful placement of plantings and other landscape features.
(iii) Landscaping helps create a transition between the street and the font door.
(iv) Landscaping helps define neighboring property lines, outdoor sitting areas and recreational areas.
(v) Landscaping helps screen/soften foundation walls.

(2) Design Standards

(i) Chain link fencing between the front façade and the street is prohibited.
(ii) No more than 30 percent of the front yard area shall be pavement.
(iii) See requirements for Street Trees at Article VIII.E.2.

(3) Design Guidelines

(i) Every effort should be made to incorporate plantings that are consistent with planting in the neighborhood.
(ii) Clustering shrubs is preferred over linear plantings.
(iii) Foundation walls greater than 12’ high should be screened/softened with landscaping at a preferable rate of one gallon shrub for every three lineal feet of foundation.
(iv) The planting of invasive species and/or nuisance plants, such as English Ivy, is discouraged.
(v) Decorative fencing that is less than 3 feet high and no more than 50 percent site obscuring is encouraged within the front yard.

c. Vertical-Oriented Windows

(1) Purpose

(i) The size, shape and location of doors and windows define the character and, in many instances, typology of the residence.
(ii) Windows provide light and air.
(iii) Windows and doors contribute to the "face" of the residence and the residences' sense of being inviting.

(2) Design Standard (minimum requirements along street-facing facades):

(i) New dwellings ~~houses~~, remodels and additions must incorporate windows that are taller than wide.

(3) Design Guidelines

(i) Double hung windows are preferred.
(ii) Two or more vertical windows can be grouped together to create a horizontal window. Windows units are allowed provided that they appear as a grouping of standard 2:1 windows.
(iii) The following window types and window elements are discouraged:

(aa) Mirror, reflective or opaque glass
(bb) Horizontal slider windows
(cc) Arched windows

d. Doors (Main Entrance) (does not apply to multi-family unless specified)

(1) Purpose

(i) Ensure that the main entrance to the house is prominent (visible), interesting and inviting

(2) Design Standards

(i) Front doors shall face the street.
(ii) For multi-family dwellings, front doors for ground floor units must face the street.

(3) Design Guidelines

(i) Transom windows are encouraged above street facing doors.

e. Roof Form / Roof Pitches (does not apply to multi-family unless specified)

(1) Purpose

(i) Ensure that the roofs of new houses and additions are compatible with roofs found on houses in the core area, especially those houses on the historic registrar.

(2) Design Standard (minimum requirements):

(i) The roof pitch of new houses and additions, including gable dormers

must be a minimum of 6:12.

(ii) Dormers must include an operable window.

(iii) New homes, especially on infill lots must incorporate roof forms that are compatible with roof forms, in the neighborhood. In the core area roof forms and roof pitches must be compatible with homes on the historic register.

(iii) Roof eaves must be a minimum of 12 inches.

(iv) Shed roofs and shed roof dormers are prohibited from facing the street.

(v) Skylights~~, solar panels~~ and other types of equipment not inherent to the function of the roof are prohibited on the street facing façade.

(vi) Multi-family dwellings must have a pitched roof.

(3) Design~~s~~ Guidelines

(i) Repair and maintenance of original roof forms, especially in the core area should retain where possible the roof type, chimneys, cornices, parapets, pediments, friezes, exposed rafters and other details

(ii) Extending rooflines as is practiced on many of Coburg's homes, contributes to the façade by bringing shadows and a sense of depth (relief) to the façade.

f. Materials

(1) Purpose

(i) Use materials and details that are compatible with Coburg's historic homes.

(2) Design Standard (minimum requirements)

(i) ~~Horizontal wood siding and wood shingles are the preferred exterior siding material. Composite boards and cementitious boards are also allowed provided that they are paint grade quality.~~

(~~i~~i) The use of concrete and concrete block on foundation wall greater than 3'-0" tall is prohibited.

(ii~~i~~) The use of vinyl siding, aluminum siding, T-111, EIFS, stucco, cinderblock, plastic and faux stone is prohibited on the front façade of the building.

(3) Designs Guidelines

(i) Horizontal wood siding and wood shingles are the preferred exterior siding material. Composite boards and cementitious boards are also allowed provided that they are paint grade quality.

g. Architectural Details and Trim

(1) Purpose

(i) Architectural Details and Trim add interest to the house giving its sense of warmth and character.

(ii) Details and trim provide walls with shadows that give walls a sense of depth and permanence.

(2) Design Standards (minimum requirements)

(i) ~~Design Standard (minimum requirement): Architectural Details and Trim~~
(i) Trim is required along rooflines, porches, windows, and doors.
(ii) Door & Window trim must be: 5-1/2 inch minimum.
(ii) Horizontal wood siding (preferred) and paint grade cementitious must be a minimum 3-1/2 inch wide.

(3) Design Guidelines

(i) As a general rule details and trim should be incorporated (highlight) where vertical and horizontal surfaces meet- For example, where walls meet the roof or where two wall planes meet at a corner.
(ii) The following trim elements help to create a rich and visually interesting streetscape: corner boards, eave returns, sting course or other horizontal trim elements at the floor level, barge boards / raking cornice, projecting rafter tails, and decorative wood gable ends.
(iii) Residential details are typically found at the peak of the roof, the tops and bottoms of porch posts, porch railings and around windows and doors.

h. Garages

(1) Purpose

(i) The focus on how garages are designed is intended to make sure that they do not become the primary element of the site or the house. Large, out of scale garages are not only unattractive but detract from the pedestrian realm by eliminating the physical and visual connection between activities in the house and activities on the street.

(2) Design Standards (minimum requirements)

(i) The front of the garage must be a minimum of 5 feet behind the primary facade.
(ii) Garage door can be no more than 150 square feet of the street facing façade

(3) Design Guidelines

(i) Garages with two separate garage doors are encouraged

(ii) Garage doors with glazing are encouraged

i. Additions

(1) Purpose

(i) Additions need to be respectful and compatible of the original façade especially additions to historic home or to homes in historic districts.

(2) Design Standard (minimum requirement)

(i) Additions ~~should~~ must maintain the existing height to width ratios of building planes and sub-elements such as windows and doors

(3) Design Guidelines

(i) Where possible additions should be limited to the rear and side yards.

(ii) Where possible, original building entrances, front porch and projecting features such as a balconies, bays, and dormer windows must be retained.

j. Private Open Space (applies to multi-family in all zones except C-1)

(1) Purpose

(i) The Multi-Family Dwelling Private Open Space standards in this subsection apply to . ~~Private open space areas shall be required for~~ ground-floor and upper-floor multi-family dwelling housing units ~~based on all of the following standards,~~ and seek to enhance the attractiveness of the area and increase the use of major landscape features that can help tie the public and private open spaces together.

(2) Design Standards (minimum requirement)

(i) A minimum of 40% of dwelling units in a multi-family structure shall have private open space.

(ii) The minimum area of ground level private open space shall be 100 square feet and 20 square feet for a balcony.

(iii) Private open space may be covered but not enclosed (i.e., space between a floor, decking, or ground level and a roof structure has more than three sides taller than 42 inches in height).

~~(i) 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 five 5 feet of the finished ground elevation (i.e., after grading and landscaping);~~

~~(ii) All upper-floor-housing units shall have balconies or porches measuring at least 36 square feet. Upper-floor housing means housing units which are more than five 5 feet above the finished grade; and~~

~~(iii) Private open space areas shall be oriented toward common open space areas and away from adjacent single family residences, trash receptacles, parking and drives to the greatest extent practicable.~~

~~(2) Multi-family Dwelling Storage. If no garage is provided, each multi-family unit shall include an enclosed storage area sufficient to hold bicycles, yard equipment, etc.~~

k. Building exteriors (applies only to multi-family)

(1) Purpose

(i) Building facades enhance the character of buildings, and maintain the historic character of Coburg.

(2) Design Standards (minimum requirements)

(i) Building facades facing a public street shall have no more than 100 feet without providing variation in building material or articulation.

(ii) Buildings within 40 feet of a front line shall have their primary orientation toward the street.

(iii) Ground floor main entrances located within 40 feet of a street must face the front lot line.

(iv) Main entrances to upper story units shall be provided from the interior of the building.

(v) Street façades shall contain windows covering a minimum of 15% of the façade of each floor.

(vi) Neither the maximum length nor width of any building may exceed 100 feet in a residential zone or 150 feet in the C-1 zone.

5. Commercial and Industrial (in all zones except C-1, TR, and TMR)

a. Parking Area Landscaping

(1) Purpose

(i) Landscaping helps screen the parking area both from the development and right-of-way.
(ii) Landscaping enhances the site through the careful placement of plantings and other landscape features.
(iii) Landscaping helps reduce stormwater run-off by reducing the amount of impervious surface.

(2) Design Standards (minimum requirements)

(i) A minimum of ten percent (10%) of the total off-street parking area shall be landscaped to provide a minimum forty percent (40%) shade coverage at tree maturity or five years whichever occurs first. The parking area shall be computed by adding all areas used for access drives, aisles, stalls, and maneuvering within that portion of the site that is devoted to parking and circulation.

b. Pedestrian and Bicycle Amenities and Connection.

(1) Purpose

(i) Providing for bicycle amenities and connectivity to existing bicycle facilities.
(ii) Encourages alternative modes of transportation.

(2) Design Standards (minimum requirements)

(i) Future commercial and industrial development shall provide safe and convenient pedestrian and bicycle access to all new and existing park and open space areas, including the Coburg Loop Path.

(ii) New commercial development shall provide support facilities for employees who are commuting by bike, such as by providing showers, lockers, and long term bike parking as set forth in Article VIII, Section B(6)-.

(iii) Continuous pedestrian walkways shall be provided from the primary frontage sidewalk for pedestrians to access building entrances. Internal pedestrian walkways, which are distinguishable from parking and driving areas, shall be provided for pedestrians to access the buildings from the parking lots.

c. Exterior lighting.

(1) Purpose

(i) Lighting makes an area more safe and secure by providing increased visibility.

(ii) Lighting helps deter crime.

(2) Design Standards (minimum requirements)

(i) All exterior lighting shall be shielded and reflected downward to minimize glare on adjacent parcels, other land uses, and street rights-of-way.

d. Building Exteriors.

(1) Purpose

(i) Building façades enhance the character of buildings, and maintain the historic character of Coburg.

(2) Design Standards (minimum requirements)

(i) Commercial and industrial building façades facing a public street shall have no more than 100 feet without providing variation in building material or articulation.

(ii) Ground floor windows are required for all office and commercial uses and all development in the CI zone. All elevations of those uses abutting a public street shall provide windows for at least 25 percent of the ground floor wall. Building elevations adjacent to alleys or vehicle accessways, used primarily for servicing and deliveries are exempt from this standard.

(iii) In the CI zone, the primary entrance to all buildings shall be visible from the street.

e. Sound Transmission/Vibrations.

(1) Purpose

(i) Intended to minimize adverse impacts on nearby residents or occupants of nearby properties.

(ii) Intended to protect nearby non-industrial businesses from the negative impacts of industrial uses.

(2) Design Standards (minimum requirements)

(i) Vibration. All permanent mechanical equipment (such as motors, compressors, pumps and compactors) that is the source of structural

vibration or structural borne noise shall be vibration isolated within inertia blocks or bases or vibration isolator springs so that vibrations are undetectable off-site. Vibrations from temporary construction and vehicles which leave the site (such as trucks, trains, airplanes and helicopters) are exempt. Vibrations lasting less than 5 minutes per day are also exempt. Vibrations from primarily on-site vehicles and equipment are not exempt.

(ii) Noise. No commercial or industrial operation may cause or permit sound (measured at the property line) to intrude into another property which exceeds the limits set forth below:

Zoning District of Receiving Property	**Max. Sound Level (dBA)**
TR and TMR	55
C-1	60
C-2, LI, CI	65

f. Screening. See standards in Article VIII, Section H(2). In addition, in the CI zone, truck parking for vehicles necessary for the operation of the facility shall be fully enclosed in a building or screened by a masonry or concrete wall that is an extension of the building and complements the façade of the building. The wall shall be a minimum of 8 feet tall and shall conceal trucks from public view.

g. Transit Stations and Stops. When required, transit stations and stops shall conform to the standards of the Lane Transit District.

6. Design Standard Modification Process

a. A modification to the design standards set forth in Article VIII, Section L~~K.G.4~~ may be approved through a Type II process ~~granted by the Planning Commission through a Type I Development Permit~~ on the basis of the application, investigation and evidence submitted that all of the following circumstances are found to exist:

(1) There is a demonstrable difficulty in meeting the specific requirements of the Single-Family Detached and Manufactured Dwelling Design Standards due to a unique or unusual aspect of the proposed use of a site;

(2) Approval of the modification will not substantially negatively impact adjacent properties;

(3) Approval of the modification is consistent with the stated Purpose of the Design Standards; and

(4) The modification requested is the minimum modification which would alleviate the identified difficulty

M. Mixed Use.

1. The following standards apply to mixed use and non-residential development in C-1, TR and TMR zones.

a. Screening/buffering.

~~(1) A 10-foot-wide landscape buffer is required along the side and rear property lines between non-residential uses and any adjacent properties zoned TR and TMR.~~

(1) Mechanical equipment, refuse collection and recycling areas for businesses shall be enclosed with a fence, wall, or structure high enough to screen all collection bins.

b. Parking.

(1) Minimum Parking requirements shall be determined by combining the requirements of the residential and the commercial use.

(2) Off-street parking shall be located to the side or rear of the building(s).

c. Pedestrian amenities. Pedestrian sidewalks or walkways must be provided to connect the building entrance -to the public right of way.

d. Building orientation.

(1) All buildings shall have their primary entrance(s) oriented to the street. "Oriented to the street" means that the building entrance faces the street~~, or is connected to the street by a direct and convenient pathway not exceeding 60 feet in length~~. Streets used to comply with this standard are public streets or private streets that contain sidewalks and street trees.

(2) On corner lots, buildings and entrances shall be oriented to the street corner; parking, driveways and other vehicle areas shall be prohibited between buildings and street corners.

e. Windows. Transparent ground floor windows must be installed for at least 50 percent of the length of the street wall and have an area equal to 60 percent of the ground-floor wall area of the street wall. Ground-floor wall area includes all wall areas up to 10 feet above finished grade.

f. Façades.

(1) No façade of buildings or structure facing a public right-of-way must include horizontal articulation at least every 75 feet. Such articulation may include but is not limited to a perpendicular offset, pillar, or material change.

(2) No wall may extend horizontally for a distance greater than three times its average height without a change in elevation.

2. The following standards apply to mixed use development in the C-1 zone.

a. The maximum height allowed in the zone may be increased by 10 feet above the maximum otherwise allowed where residential uses are provided above the ground floor (vertical mixed use) and where no height variance has been approved.

b. Dwellings allowed above or behind a commercial use shall comply with the following standards:

(1) Parking, Garages, and Driveways. All off-street vehicle parking, including surface lots and garages, shall be oriented to alleys or located in parking areas located 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., underground or 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 when access cannot be provided from an alley. These standards do not apply when prevented by existing developments or topography. Each dwelling unit shall provide the required number of ~~parking and~~ bicycle spaces as required in Article VIII.

(2) Use of Alleys. If more than four dwelling units are proposed, an alley or private mid-block lane shall be required for vehicle access. Alleys or mid-block lanes are not required when existing developments or topography prevents construction of an alley. As part of the development, the City may require dedication of right-of-way or easements and construction of pathways to provide pedestrian connections through a development site.

(3) Common Areas. A homeowners association or other legal entity shall maintain all common areas (e.g., walkways, drives, courtyards, private alleys, parking courts, etc.) and building exteriors. Copies of any applicable covenants, restrictions, and conditions shall be recorded and provided to the city prior to building permit approval.

~~(4) A 10-foot-wide landscape buffer is required along the side and rear property lines between non-residential uses and any adjacent properties zoned TR and TMR.~~

3. The following standards apply to mixed use development in the TR and TMR zones.

a. Density. Maximum Residential Density—Maximum residential density for mixed use development is controlled by the applicable lot coverage and building height standards.

~~(b) Step-Backs. Only would apply if allowing extra tall mixed use development in TR and TMR, where mixed use development abuts residential zoned property.~~

(1) Locational. Mixed use development is allowed only on properties abutting N. Willamette Street, West Van Duyn west of N. Willamette St., and North Coburg Road north of West Van Duyn Road.

N. Mobile Food Vending.

1. Locational Standards.

a. Mobile food carts are allowed on private property in the Central Business District (C-1), Highway Commercial District (C-2), Light Industrial District (L-1), and Campus Industrial District (CI), subject to property owner approval.

b. Carts may not block motor vehicle access or pedestrian walkways.

c. Mobile food carts may not occupy parking spaces required by other businesses at the location.

d. Pedestrian (walk-up) traffic only is allowed (no drive-through service).

2. Design Standards.

a. Mobile food carts may not exceed 26 feet in length, measured wall to wall.

b. Mobile food carts shall enclose or screen from view of the right of way and abutting residentially zoned property all accessory items not used by customers, including but not limited to tanks, barrels, or other accessory items.

c. Mobile food carts must be kept in good repair and maintained in a safe and clean condition.

d. If provided, awning shall have seven (7) feet of clearance between the ground and awning.

e. Mobile food carts shall not exceed 15 feet in height.

3. Utilities.

a. Wastewater shall be addressed in one of the following two ways:

(1) Mobile food carts shall connect to the sanitary sewer consistent with applicable state plumbing codes, and will include an approved grease separator for the disposal of fats, oils and grease. Indirect discharge or leakage draining into the stormwater system in prohibited.

(2) Mobile food carts shall connect to individual or community wastewater holding tanks. Tanks shall be owned and serviced by an Oregon Department of Environmental Quality licensed pumper. A copy of the contract shall be provided to the City before any mobile food carts are located on site. Holding tanks shall be screened from view of the right of way by fully sight obscuring fencing. Indirect discharge or leakage draining into the stormwater system in prohibited.

b. Potable water shall be addressed in one of the following two ways:

(1) Food carts shall connect to a permanent water source in conformance with applicable state plumbing codes, or

(2) Food carts shall be connected to a potable water tank consistent with Section 5-3 of the Oregon Health Authority's 2012 Food Sanitation Rules.

c. Food carts and amenities shall connect to a permanent power source. Power connections may not be connected by overhead wires to the individual food carts. Generators are prohibited.

d. All utilities shall be placed or otherwise screened, covered, or hidden from view from the right of way as to minimize visual impacts and prevent tripping hazards or other unsafe conditions.

4. Signage. See Coburg Sign Ordinance A-155.

5. Lighting. Food cart pods shall have lighting to ensure safe environment for customers and employees that complies with the following:

a. At minimum, areas to be occupied by customers shall be illuminated when carts operate during hours of darkness.

b. No direct light source shall be visible from the property line.

c. Lighting fixtures shall be oriented and/or shielded to prevent glare on abutting properties.

6. Approvals

a. Mobile Food Cart operators shall obtain and keep current a city business license.

b. Mobile Food Cart operators shall maintain all required licenses by the appropriate state and/or local agency, including Lane County Environmental Health.

~~9. Single Family Attached and Multi Family~~

~~a. Multi-family Dwelling Private open space standards. Private open space areas shall be required for ground-floor and upper-floor housing units based on all of the following standards:~~

~~(1) 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);~~

~~(2) All upper-floor-housing units shall have balconies or porches measuring at least 36 square feet. Upper-floor housing means housing units which are more than 5 feet above the finished grade; and~~

~~(3) Private open space areas shall be oriented toward common open space areas and away from adjacent single family residences, trash receptacles, parking and drives to the greatest extent practicable.~~

~~b. Multi-family Dwelling Storage. If no garage is provided, each multi-family unit shall include an enclosed storage area sufficient to hold bicycles, yard equipment, etc.~~

O. Home Occupation Standards.

1. Appearance of Residence.

a. the home occupation shall be restricted to lawfully built enclosed structures and conducted in such a manner as not to give an outward appearance of a business.

b. The home occupation shall no result in any structural alterations or additions to a structure that will change its primary use or building code occupancy classification.

c. the home occupation shall not violate and conditions of development approval (i.e., prior development permit approval).

d. No products and or equipment produced or used by the home occupation may be displayed to be visible from outside any structure.

2. Storage.

a. Outside storage, visible from any public right-of-way or adjacent properties, is prohibited.

b. On-site storage of hazardous materials (including toxic, explosive, noxious, combustible or flammable) beyond those normally incidental to residential use if prohibited.

c. Storage of inventory or products and all other equipment, fixtures, and activities associated with the home occupation shall be allowed in any approved structure.

3. Employees.

a. Other than family members residing within the dwelling located on the home occupation site there shall be no more than one full time equivalent employee at the home occupation site at any given time. As used in this chapter, the term "home occupation site" means the lot on which the home occupation is conducted.

b. Additional individuals may be employed by or associated with the home occupation, so long as they do not report to work or pick up/deliver at the home.

c. The home occupation site shall not be used as a headquarters for the assembly of employees for instruction or other purposes, including dispatch to other locations.

4. Advertising and Signs. Any signs shall comply with the Sign Ordinance.

5. Vehicles, Parking and Traffic.

a. One commercially licensed vehicle associated with the home occupation is allowed at the home occupation site. It shall be of a size that would not overhang into the public right-of-way when parked in the driveway or other location on the home occupation site.

b. There shall be no more than three commercial vehicle deliveries to or from the home occupation site daily. There shall be no commercial vehicle deliveries during the hours of 7 p.m. to 7 a.m.

c. There shall be no more than two client or customer vehicles at any one time and no more than eight per day at the home occupation site.

d. no traffic shall be generated by such home occupation in greater volumes that would normally be expected in a residential neighborhood.

6. Business Hours. There shall be no restriction on business hours, except that clients or customers are permitted at the home occupation from 7 a.m. to 7 p.m. only, subject to Sections A and E, above.

7. Prohibited Home Occupation Uses.

a. Any activity that produces radio or TV interference, noise, glare, vibration, smoke, or odor beyond allowable levels as determined by local, state or federal standards, or that can be detected beyond the property line is prohibited.

b. Any activity involving on-site retail sales in prohibited, except that the sale of items that are incidental to a permitted home occupation is allowed. For example, the sale of lesson books or sheet music from music teachers, art or craft supplies from arts or crafts instructors, computer software from computer consultants, and similar incidental items for sale by home business are allowed subject to Section A-F, above.

c. Any uses described in this section or uses with similar objectionable impacts because of motor vehicle traffic, noise, glare, odor, dust, smoke or vibration, such as:

(1) Ambulance service;

(2) Animal hospital veterinary services, kennels or animal boarding;

(3) Auto and other vehicle repair, including auto painting;

(4) Repair, reconditioning or storage of motorized vehicles, boats, recreational vehicles, airplanes or large equipment on-site;

~~(5) Enforcement: The City Planning Director Official or designee may visit and inspect the site of home occupations in accordance with this chapter periodically to insure compliance with all applicable regulations, during normal business hours, and with reasonable.~~

8. Enforcement. The City Planning Official or designee may visit and inspect the site of home occupations in accordance with this chapter periodically to insure compliance with all applicable regulations, during normal business hours, and with reasonable advance notice.

~~**8. Commercial and Mixed Use**~~

~~[to be prepared]~~

~~**9. Industrial**~~

~~**OK. Home Occupation Standards**~~

~~8. Commercial and Mixed Use~~
~~[to be prepared]~~
~~9. Industrial~~

~~**PL. Wireless Communication Facilities Development Standards**~~

ARTICLE X. ~~ADMINISTRATION AND ENFORCEMENT~~ TYPES OF REVIEW PROCEDURES

I. Traffic Impact Studies

The purpose of this section of the code is to assist in determining which road authorities participate in land use decisions, and to implement Section 660-012-0045 (2) (e) of the State Transportation Planning Rule that requires the City to adopt a process to apply conditions to development proposals in order to minimize impacts and protect transportation facilities. This Chapter establishes the standards for when a proposal must be reviewed for potential traffic impacts; when a Traffic Impact Study must be submitted with a development application in order to determine whether conditions are needed to minimize impacts to and protect transportation facilities; what must be in a Traffic Impact Study; and who is qualified

1. When a Traffic Impact Study is Required. The City **or other road authority** with jurisdiction may require a Traffic Impact Study (TIS) as part of an application for development, a change in use, or a change in access. A TIS shall be required when a land use application involves one or more of the following actions:

a. A change in zoning or a plan amendment designation;

b. Any proposed development or land use action that a road authority states may have operational or safety concerns along its facility(ies);

c. An increase in site traffic volume generation by 200 Average Daily Trips (ADT) or more; or

d. An increase in peak hour volume of a particular movement to and from the State highway as prescribed by the Coburg I-5 Interchange Area Management Plan.

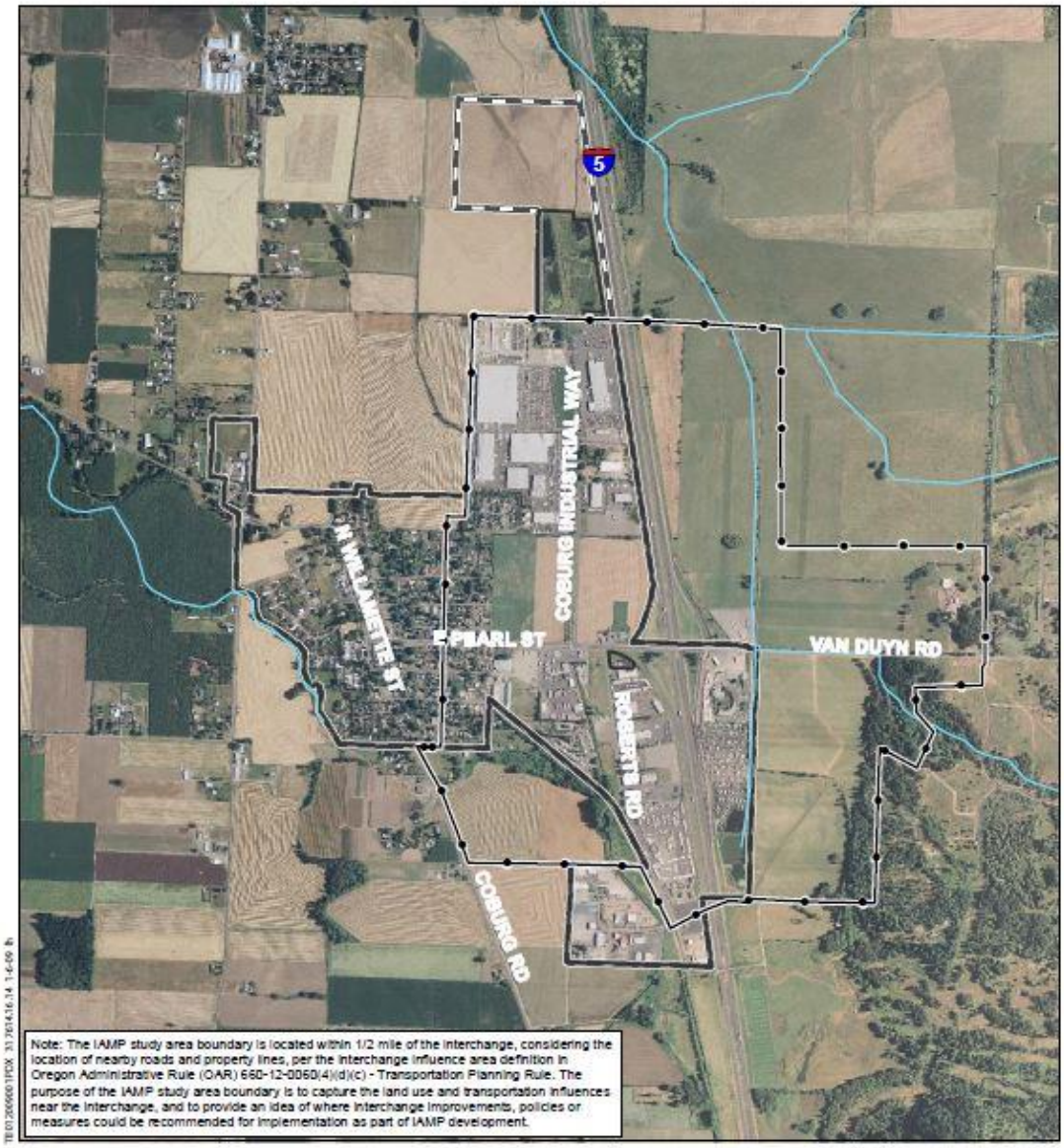
e. An increase in use of adjacent streets by vehicles exceeding the 20,000 pound gross vehicle weights by 10 vehicles or more per day; or

f. The location of the access driveway does not meet minimum sight distance requirements, or is located where vehicles entering or leaving the property are restricted, or such vehicles queue or hesitate on the State highway, creating a safety hazard; or

g. A change in internal traffic patterns that may cause safety problems, such as back up onto a street or greater potential for traffic accidents.

h. Any proposed development or land use action on property within the Interstate Area Management Plan (IAMP) that will generate more than 100 AM or PM peak hour trips per day, or 600 Average Daily Trips. See map figure 1 for IAMP area.

Article XI. Map Figure 1.



IAMP Management Area Boundary[1]
Rivers & Streams[2]
Coburg City Limits[2]
Urban Growth Boundary[2]
2005 NAIP Aerial Photography [2]

N 0 500 1,000 2,000 Feet

Map produced by LCOG

Figure 1-1 Coburg IAMP Management Area
Coburg/I-5 Interchange Area
Management Plan

Sources: 1. CH2M Hill 2. LCOG

2. Traffic Impact Study (TIS) Preparation.

a. For Traffic Impact ~~Dtudies~~ Studies required under Article XI, Section I(1)(h). A TIS shall be required in accordance with ODOT's 2005 Development Review Guidelines. Adequacy of the TIS shall be determined jointly by ODOT, the City of Coburg, and Lane County. If a conflict exists between ODOT Development Review Guidelines and applicable County or City requirements, ODOT Development Review Guidelines shall be applied by ODOT. Any required mitigation associated with the ODOT permitting process shall be determined by ODOT with participation by the City of Coburg and Lane County with regard to their respective requirements, and shall be consistent with the requirements in OAR 734-051 and OAR 660-012-0050. Any required mitigation associated with the local land use authority shall be by the City of Coburg and/or Lane County, as appropriate, with regard to their respective requirements and with participation of ODOT, and shall be consistent with the requirements in OAR 734-051 and OAR 660-012-0050.

b. All other Traffic Impact Studies. A TIS shall be prepared by a professional engineer in accordance with the requirements of the road authority. If the road authority is the Oregon Department of Transportation (ODOT), consult ODOT's regional development review planner and OAR 734-051-180. Lane County roads shall be subject to Lane County requirements.

ARTICLE XIII LAND DIVISIONS AND PROPERTY LINE ADJUSTMENTS

Sections:

A. Purpose and Applicability
B. General Requirements
C. Tentative Approval
D. Final Plat Approval
~~**C. Pre-planning for Large Sites**~~
~~**D. Flexible Lot Size; Flag Lots; Lots Accessed by Mid-Block Lanes**~~
~~**E. Approval Process**~~
~~**E. Preliminary Plat Submission Requirements**~~
~~**F. Approval Criteria: Preliminary Plat**~~
~~**G. Variances Authorized**~~
~~**H. Final Plat Submission Requirements and Approval Criteria**~~
~~**I. Public Improvements**~~
~~K.~~E. Performance Guarantee
~~L.~~F. Filing and Recording
~~M.~~G. Re-platting and Vacation of Plats
~~N.~~H. Property Line Adjustments

A. Purpose and Applicability

The purpose of this chapter is to:

~~1.~~ Provide rules, regulations and standards governing the approval of subdivisions, partitions and lot line adjustments~~, as defined below:~~[~~.~~]

~~a. Subdivisions are the creation of four or more lots from one parent lot, parcel or tract, within one calendar year.~~

~~b. Partitions are the creation of three or fewer lots within one calendar year.~~

c. ~~Lot line adjustments are modifications to lot lines or parcel boundaries that do not result in the creation of new lots (includes consolidation of lots).~~

~~2.~~ Carry out the City's development pattern, as envisioned by the Comprehensive Plan.

~~3.~~ Encourage efficient use of land resources, full utilization of urban services, and transportation options.

~~4.~~ Promote the public health, safety and general welfare through orderly and efficient urbanization.

~~5.~~ Provide adequate light and air, prevent overcrowding of land, and provide for adequate transportation, water supply, sewage, fire protection, pollution control, surface water management, and protection against natural hazards~~; and~~

~~6.~~ Encourage the conservation of energy resources.

~~7.~~ Encourage multi-modal options ~~reduce or avoid traffic congestion~~ and secure safety from fire, flood, pollution, and other ~~dangers~~ hazards.

B. General Requirements

1. **Subdivision and Partition Approval Through Two-step Process.** Applications for subdivision or partition approval shall be processed by means of a preliminary plat evaluation and a final plat evaluation, according to the following two steps:

   a. The preliminary plat must be approved before the final plat can be submitted for approval consideration; and

   b. The final plat must include all conditions of approval of the preliminary plat.

2. **Compliance with ORS Chapter 92.** All subdivision and partition proposals shall conform to state regulations in Oregon Revised Statue (ORS) Chapter 92, Subdivision and Partitions.

3. **Future Re-division Plan.** When subdividing or partitioning tracts into large lots (i.e., greater than two times or 200 percent the minimum lot size allowed by the underlying land use district), the City shall require that the lots be of such size, shape, and orientation as to facilitate future re-division in accordance with the requirements of the land use district and this Code. A re-division plan shall be submitted for large lots identifying:

   a. Potential future lot division(s), consistent with the density and lot size standards of Article VII ~~2~~;

   b. Potential street right-of-way alignments to serve future development of the property and connect to adjacent properties, including existing or planned rights- of-way;

   c. A disclaimer that the plan is a conceptual plan intended to show potential future development. It shall not be binding on the City or property owners, except as may be required through conditions of land division approval. For example, dedication and improvement of rights-of-way within the future plan area may be required to provide needed secondary access and circulation.

4. ~~**Lot Size Averaging**~~ **Flexible Lot Size**. L ot size requirements may be modified pursuant to Article VII , Section A.4.c, Article VII, Section B.3.c, or ~~unless determined as an average through approval of a Master Planned Development under Article XV. Single family residential lot size may be averaged to~~ through approval of a Master Planned Development under Article XIV ~~X.V~~.

5. **Temporary Sales Office**. A temporary sales office in conjunction with a subdivision may be approved as set forth in Article ~~X.~~IX, A, Temporary Uses.

6. ~~**Minimize**~~ **Flood** ~~**Damage**~~ **Control and Drainage**. All subdivisions and partitions shall be designed based on the need to minimize the risk of flood damage. No new building lots shall be created entirely within a floodway. All new lots shall be buildable without requiring development within the floodway and, where possible, allow building outside

of the flood fringe. Development in a 100-year flood plain shall comply with the National Flood Insurance Program and state building code requirements, including elevating structures above the base flood elevation. The applicant shall be responsible for obtaining floodplain development permit from the NFIP and the City of Coburg. See Coburg Floodplain Ordinance No A-195-A.

~~**Determination of Base Flood Elevation**~~. Where a development site consists of one (1) or more acres or 25 or more lots, and is located in or near areas prone to inundation for which the base flood elevation has not been mapped, the applicant shall have the base flood elevation ~~it shall be~~ prepared by a qualified professional as part of the land division application. All subdivision and partition proposals shall have adequate surface water drainage facilities that reduce exposure to flood damage and improve water quality. Water quality or quantity control improvements may be required.

7. **Need for Adequate Utilities**. All lots created through land division shall have adequate public utilities and facilities such as sewer, gas, electrical, and water systems. These systems shall be located and constructed to prevent or minimize flood damage, and to avoid impairment of the system and contamination from them during flooding.

~~**9. Need for Adequate Drainage**. All subdivision and partition proposals shall have adequate surface water drainage facilities that reduce exposure to flood damage and improve water quality. Water quality or quantity control improvements may be required.~~

8. **Floodplain, Park, and Open Space Dedications.** Where land filling and/or development is allowed within or adjacent to regulatory flood plain and the Comprehensive Plan designates the subject flood plain for park, open space, or trail use, the City may require the dedication of sufficient open land area for a greenway and/or trail adjoining or within the flood plain for transportation, storm drainage/water quality, or park purposes in the public interest. When practicable, this area shall include portions at a suitable elevation for the construction of a multi-use pathway in accordance with the City's adopted trails plan or pedestrian and bikeway plans, as applicable. The City shall evaluate individual development proposals and determine whether the dedication of land is justified based on the development's impact to the park and/or trail system, or stormwater management requirements, consistent with and assist in obtaining any floodplain permit that may be required.

9. ~~**Conditions of Approval**~~**Reserve Strips.** The City may ~~attach such conditions as are necessary to carry out provisions of this Code, and other applicable ordinances and regulations, and may~~ require reserve strips be granted to the City for the purpose of controlling access to adjoining undeveloped properties.

~~**10. Mid-Block Lanes.** Mid-block lanes are not allowed unless they meet the requirements of a shared driveway.~~

~~**11. Flag lots.** Flag lots are not allowed.~~

10~~2~~. **Driveway and lane width.** The minimum width of all shared drives and lanes shall be eight feet; the maximum width is 12 feet, except as required by the Uniform Fire Code.

11~~3~~. Easement and improvement of drive lane. The property owner shall record a 20 foot easement benefiting all properties that are to receive vehicle access. The drive lane shall be improved with an all-weather surface approved by the City. Dedication or recording, as applicable, shall be so indicated on the face of the subdivision or partition plat.

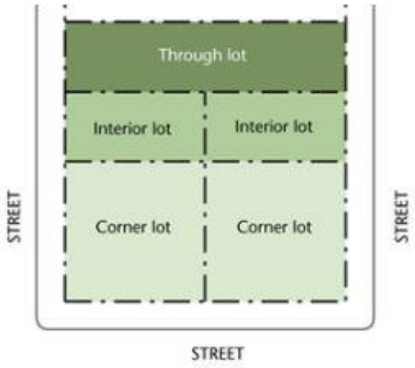
12~~4~~. Maximum drive lane length. The maximum drive lane length is subject to requirements of the Uniform Fire Code, but shall not exceed 150 feet for a shared side drive, and 400 feet for a shared rear drive ~~line~~.

~~16. Water Supply.~~

~~a. All lots and parcels in any division shall be served by the Coburg water system and shall meet minimum fire protection standards set by the Coburg Fire Department.~~

13~~5~~. Through Lots and Parcels.

a. Through lots and parcels shall be avoided except where they are essential to provide separation of residential development from major traffic arterials or adjacent non-residential activities or to overcome specific disadvantages of topography and orientation. A planting screen easement at least 10 feet wide and across which there shall be no right of access, may be required along the line of building sites abutting such a traffic artery or other incompatibles use. See graphic.



14~~6~~. Lot and Parcel Sidelines.

a. The lines of lots and parcels, as far as is practicable, shall run at right angles to the street upon which they face, except that on curved streets they shall be radial to the curve.

15~~7~~. Drainage.

a. Where land in the subdivision or partition is or will be periodically subject to accumulations of surface water or is traversed by any water course, channel, stream or creek, the Planning Commission may require the applicant to provide for adequate unrestricted drainage over drainage land by dedicating to the public easements adequate for the draining needs of the area. Said easements shall be approved by the Planning Commission.

16~~8~~. Grading of Building Sites. Grading of building sites shall conform to the following standards unless adjusted through the variance procedure in Article XIX: ~~physical conditions demonstrate the property of other standards~~:

a. Cut slopes shall not exceed one and one-half feet horizontally to one foot vertically.

b. Fill slopes shall not exceed two feet horizontally to one foot vertically.

c. The character of soil for fill and the characteristics of lots and parcels made usable by fill shall be suitable for the purpose intended.

17~~9~~. Building Lines.

a. If special building setback lines are to be established in a subdivision, they shall be shown on the subdivision plat.

18~~20~~. Land for Public Use.

a. If the City has an interest in acquiring a portion of proposed subdivision for a public purpose, or if the City has been advised of such an interest by a school district or other public agency, and there is reasonable assurance that steps will be taken to acquire the land, then the Planning Commission may require that those portions of the subdivision be reserved for public acquisition, for a period not to exceed one year, at a cost not to exceed the value of the land prior to the subdivision.

19. Park/Park Recreation Acquisitions.

a. Within or adjacent to a subdivision of land into 10 or more lots, a parcel of land of not less than six percent of the gross area of the subdivision shall be set aside and dedicated to the public by the subdivider. The parcel shall be approved by the Planning Commission as being suitable and adaptable for park and recreation use. In the event no such area is suitable for park and recreation purposes, or for a subdivision of land into less than 10 lots, the subdivider shall, in lieu of setting aside land, pay into a public land acquisition fund a sum of money equal to one (1) percent of the gross sale price of each lot in the subdivision, which sum of money shall be paid at the time each lot is developed or sold, whichever occurs first.

~~C.Pre-planning for Large Sites~~

~~1. **Purpose.** The purpose of this Section is to require pre-planning of large sites (i.e., in conjunction with annexation or prior to subdivision approval) and ensure the development of fully integrated, mixed-use pedestrian-oriented neighborhoods. The intent is to minimize traffic congestion, suburban sprawl, infrastructure costs, and environmental degradation, particularly as new development takes place on large parcels of land.~~

~~2. **Applicability**. This Section applies to parcels, and development sites with more than one parcel in Residential District(s) that are 1 acre or larger.~~

~~3. **Area plan required.** Prior to annexation and land division approval, a specific area plan shall be prepared for all sites meeting the criteria in subsection 4, below.~~

4. ~~**Land use and design standards.** The specific area plan required under subsection~~

~~3, above, shall be shall be consistent with the following design criteria:~~

~~a. All neighborhoods have identifiable centers and outer boundaries;~~

~~b. Edge lots are readily accessible to neighborhood commercial and recreational uses by walking and bicycling (a distance not greater than one-quarter mile);~~

~~c. Uses and housing types are mixed and in close proximity to one another;~~

~~d. Streets are connected and blocks are walkable in scale except where topography, existing development, or other physical features require longer blocks;~~

~~e. Civic buildings, monuments and open spaces (e.g., parks, squares, greenbelts, natural areas, etc.), and scenic viewing points are given prominent sites throughout the neighborhood;~~

~~f. Overall, the master plan achieves a housing density that is consistent with the Comprehensive Plan.; and~~

~~g. Land needed for public use (e.g., schools, parks, fire stations, and other facilities) shall be designated on the master plan, in accordance with the Comprehensive Plan.~~

5. ~~**Implementation**. Upon approval of a plan under the provisions of Article X.III, Section A, the processing of development proposals shall follow the Land Division procedures in Article X.III, and the Land Use Review and/or Site Design Review procedures in Article X.II as applicable. Any modifications to the approved master plan shall be subject to the standards and procedures in –Article X.VI Modifications.~~

C. Tentative Approval

1. Partitions

a. Process. Applications for tentative partition plan review shall be processed as Type II applications in accordance with Article X, Section C.

b. Submittal Requirements.

(1) Applications for approval of a tentative partition plan shall be signed by the owner of the property, prepared by a professional land surveyor, registered professional engineer, or a registered landscape architect, and shall contain all of the information required for a Type II process, in accordance with Article X, Section C.2, and the following additional items:

(i) A tentative plan map, including the information required by the City's

Tentative Partition Plan application form, including all contiguous property under the same ownership as the subject property.

(ii) A current (no older than six months prior to application submittal) preliminary title report.

c. Approval Criteria.

(1) General Approval Criteria. The City may approve, approve with conditions or deny a tentative partition plan based on the following approval criteria:

(i) The proposed tentative partition plan complies with the applicable zoning code provisions and all other applicable ordinances and regulations, including but not limited to lot standards, street standards (Article VIII. E), required public improvements (Article VIII.F) and any special development standards.

(ii) The proposed partition will not cause any existing improvements on existing or proposed parcels to be inconsistent with applicable standards in this code.

(iii) Partitions abutting streets under control of an agency that is not the city shall comply with access management guidelines of the agency having jurisdiction over the street.

(iv) Development within the tentative partition plan can be adequately served by City infrastructure.

(v) Proposal contributes to the orderly development of the City's area transportation network of roads, bikeways, and pedestrian facilities, and allows for continuation and expansion of existing public access easements within or adjacent to the partition.

(vi) All applicable engineering design standards for streets, utilities, surface water management, and easements have been satisfied.

(vii) If the proposal involves the creation of a public street, all of the following criteria also apply:

(aa) The proposal will not impede the future use of the remainder of the property under the same ownership or adversely affect the development of the remainder or any adjoining land or access thereto.

(bb) The proposed partition will:

1. Not result in significant risk of fire, flood, geological hazards, or other public health and safety concerns;
2. Provide adequate transportation systems, water supply, sewage disposal, drainage, and other public utilities;
3. Not hamper the adequate provision of publicly owned open space for recreation needs.
4. The proposed partition provides direct bicycle and pedestrian access to nearby and adjacent residential areas, transit stops, neighborhood activity centers, commercial areas, and employment and industrial areas, and provides safe, convenient and direct transit circulation, provided the city

makes findings to demonstrate consistency with constitutional requirements. "Nearby" means uses within 1/4 mile that can reasonably be expected to be used by pedestrians, and uses within 2 miles that can be reasonably expected to be used by bicyclists.

d. Expiration. Tentative partition plan approval shall be effective for a period of one (1) year from the date of approval. The preliminary plat shall lapse if a final plat has not been submitted within the one-year period, unless an extension, subject to the following criteria, is granted:

(1) The applicant has submitted written intent to file a final plat within the one-year extension period;

(2) An extension of time will not prevent the lawful development of abutting properties;

(3) There have been no changes to the applicable Code provisions on which the approval was based. If such changes have occurred, a new preliminary plat application shall be required; and

(4) The extension request is made before expiration of the original approved plan.

(5) The applicant has not obtained a previous extension for the subject approval.

2. Subdivisions (non-phased)

a. Process. Applications for tentative partition plan review shall be processed as Type III applications in accordance with Article X, Section C.

b. Submittal Requirements.

(1) Applications for approval of a tentative subdivision plan shall be prepared by a professional land surveyor, registered professional engineer, or a registered landscape architect, and shall contain all of the information required for a Type III process, in accordance with Article X, Section D.2, and the following additional items:

(a) A tentative plan map, including the information required by the City's Tentative Subdivision Plan application form, including all contiguous property under the same ownership as the subject property.

(b) A current (no older than six months prior to application submittal) preliminary title report.

c. Approval Criteria. (1) General Approval Criteria. The City may approve, approve with conditions or deny a tentative subdivision plan based on the following approval criteria:

(1) The proposed tentative subdivision plan complies with the applicable zoning code provisions and all other applicable ordinances and regulations, including but not limited to lot standards, street standards (Article VIII. E), required public improvements (Article VIII.F) and any special development standards.

(2) The proposed subdivision will not cause any existing improvements on existing or proposed lots to be inconsistent with applicable standards in this code.

(3) Subdivisions abutting streets under control of an agency that is not the city shall comply with access management guidelines of the agency having jurisdiction over the street.

(4) Development within the tentative subdivision plan can be adequately served by City infrastructure.

(5) Proposal contributes to the orderly development of the City's area transportation network of roads, bikeways, and pedestrian facilities, and allows for continuation and expansion of existing public access easements within or adjacent to the subdivision.

(6) All applicable engineering design standards for streets, utilities, surface water management, and easements have been satisfied.

(7) If the proposal involves the creation of a public street, all of the following criteria also apply:

(aa) The proposal will not impede the future use of the remainder of the property under the same ownership or adversely affect the development of the remainder or any adjoining land or access thereto.

(bb) The proposed partition will:

1. Not result in significant risk of fire, flood, geological hazards, or other public health and safety concerns;
2. Provide adequate transportation systems, water supply, sewage disposal, drainage, and other public utilities;
3. Not hamper the adequate provision of publicly owned open space for recreation needs.
4. The proposed partition provides direct bicycle and pedestrian access to nearby and adjacent residential areas, transit stops, neighborhood activity centers, commercial areas, and employment and industrial areas, and provides safe, convenient and direct transit circulation, provided the city makes findings to demonstrate consistency with constitutional requirements. "Nearby" means uses within 1/4 mile that can reasonably be expected to be used by pedestrians, and uses within 2 miles that can be reasonably expected to be used by bicyclists.

d. Expiration. Tentative subdivision plan approval shall be effective for a period of one (1) year from the date of approval. The preliminary plan shall lapse if a final plat has not been submitted within the one-year period, unless an extension, subject to the following criteria, is granted:

(1) The applicant has submitted written intent to file a final plat within the one-year

extension period;

(2) An extension of time will not prevent the lawful development of abutting properties;

(3) There have been no changes to the applicable Code provisions on which the approval was based. If such changes have occurred, a new preliminary plat application shall be required; and

(4) The extension request is made before expiration of the original approved plan.

(5) The applicant has not obtained a previous extension for the subject approval.

3. Subdivisions (phased)

a. Process. Applications for phased tentative subdivision plan review shall be processed as Type III applications in accordance with Article X, Section C. One tentative phased subdivision plan must be approved, with each individual phase receiving separate final plat approval.

b. Submittal Requirements. Applications for approval of a phased tentative subdivision plan shall be prepared by a professional land surveyor, registered professional engineer, or a registered landscape architect, and shall contain all of the information required for a Type III process, in accordance with Article X, Section D.2, and the following additional items:

(1) The information required under ARTICLE X.III.C.1b.

(2) Overall tentative subdivision plan shall include phase and unit sequence and a schedule for initiation of improvements and projected completion date.

(3) An overall facility development phasing plan that indicates the tentative boundaries of each phase, the sequencing of the phases, the tentative configuration of lots in each phase, and a plan (including proposed time schedule) for the construction of all required city infrastructure in each phase, including transportation and utility facilities plans that specify the traffic pattern plan for motor vehicles, bicycles, and pedestrians, water system plans, sewer system plans and utility plans.

c. Approval Criteria

(1) The tentative phased subdivision plan meets all of the criteria for tentative subdivision plan approval set forth in Article XIII.C.2.c.

(2) Connectivity for streets and city utilities between each phase ensure the orderly and efficient construction of required public improvements among all phases.

(3) Each phase is substantially and functionally self-contained and self-sustaining with regard to required public improvements.

(4) Each phase is designed in such a manner that all phases support the infrastructure requirements for the phased subdivision as a whole.

d. Expiration. The tentative phased subdivision plan approval shall lapse if a final plat for the first phase has not been submitted within one year of tentative plan approval, unless an extension, subject to the following criteria, is granted:

(1) The applicant has submitted written intent to file a final plat within the one-year extension period;

(2) An extension of time will not prevent the lawful development of abutting properties;

(3) There have been no changes to the applicable Code provisions on which the approval was based. If such changes have occurred, a new preliminary plat application shall be required; and

(4) The extension request is made before expiration of the original approved plan.

(5) The applicant has not obtained a previous extension for the subject approval.

Tentative approval for all remaining phases shall lapse if the final plat for each remaining phase has not been submitted within ten years of original tentative phased subdivision plan approval. No extension may be granted for phases after the first phase.

~~**D. Flexible Lot Size; Flag Lots; Lots Accessed by Mid-Block Lanes**~~

~~1. **Flexible Lot Size.** Flexible lot size is not allowed unless determined as an average within Master Planning.~~

~~2. **Mid-Block Lanes.** Mid-block lanes are not allowed unless they meet the requirements of a shared driveway~~

~~3. **Flag lots.** Flag lots are not allowed.~~

~~4. **Driveway and lane width.** The minimum width of all shared drives and lanes shall be 10 feet; the maximum width is 18 feet, except as required by the Uniform Fire Code.~~

~~5. **Easement and improvement of drive lane.** The property owner shall record a 20 foot easement benefiting all properties that are to receive vehicle access. The drive lane shall be improved with an all weather surface approved by the City. Dedication or recording, as applicable, shall be so indicated on the face of the subdivision or partition plat.~~

~~6. **Maximum drive lane length.** The maximum drive lane length is subject to requirements of the Uniform Fire Code, but shall not exceed 150 feet for a shared side drive, and 400 feet for a shared rear lane.~~

~~7. **Future street plans.** Building placement and alignment of shared drives shall be designed so that future street connections can be made as surrounding properties develop.~~

D. Final Plat Approval (Partition and Subdivision)

1. Process. Applications for final partition and subdivision review shall be processed as Type I applications in accordance with Article X, Section B.

2. Submittal Requirements. Applications for approval of a final partition or subdivision plat shall be prepared by a professional land surveyor, registered professional engineer, or a registered landscape architect, and shall contain all of the information required for a Type I process, in accordance with Article X, Section B, and the following additional items:

a. A final plat, including the information required by the City's Final Subdivision or Partition Plat application form, including all contiguous property under the same ownership as the subject property.

b. Approval Criteria. A final plat shall be approved if the following criteria are met:

(1) The final plat substantially conforms with the approved tentative plan.

(2) Conditions of approval imposed on the tentative plan have been met.

(3) The final plat dedicates to the City, free and clear of all liens and encumbrances and without any reservation or restriction other than reversionary rights upon vacation, all City infrastructure, if such dedication is required by a condition of approval.

(4) Public improvements required by this code or by a condition of approval have been completed or the applicant has provided a performance guarantee pursuant to Article X.III Section E.

(5) The City surveyor has approved the final plat for compliance with applicable platting requirements in accordance with state law.

E. Performance Guarantee

1. Performance Guarantee Required. When a performance guarantee is required under Article X.III, Section D, the subdivider/partitioner shall file an assurance of performance with the City supported by one of the following:

a. An irrevocable letter of credit executed by a financial institution authorized to transact business in the state of Oregon;

b. A surety bond executed by a surety company authorized to transact business in the state of Oregon which remains in force until the surety company is notified by the City in writing that it may be terminated; or

c. Cash.

2. Determination of Sum. The assurance of performance shall be for a sum determined by the

City as required to cover the cost of the improvements and repairs, including related engineering and incidental expenses.

3. **Itemized Improvement Estimate**. The developer shall furnish to the City an itemized improvement estimate, certified by a registered civil engineer, to assist the City in calculating the amount of the performance assurance.

4. **Agreement**. An agreement between the City and developer shall be recorded with the final plat. The agreement may be prepared by the City or prepared by the applicant as a letter. It shall not be valid until it is signed and dated by both the applicant and City Planning Official. The agreement shall contain all of the following:

   a. The period within which all required improvements and repairs shall be completed;

   b. A provision that if work is not completed within the period specified, the City may complete the work and recover the full cost and expenses from the applicant;

   c. The improvement fees and deposits that are required;

   d. An optional provision for the construction of the improvements in stages and for the extension of time under specific conditions therein stated in the contract.

5. **When Subdivider Fails to Perform**. In the event the developer fails to carry out all provisions of the agreement and the City has un-reimbursed costs or expenses resulting from such failure, the City shall call on the bond, cash deposit or letter of credit for reimbursement.

6. **Termination of Performance Guarantee**. The developer shall not cause termination of nor allow expiration of the guarantee without having first secured written authorization from the City.

~~**E. Preliminary Plat Approval Process**~~

~~8. **Review of Preliminary Plat**. Review of a preliminary plat with 2 or 3 lots (partition) shall be processed with a Type II procedure, under Article X.I, Section. Preliminary plats with 4 or more lots (subdivision) shall be processed with a Type III procedure under Article X.I, Section D. All preliminary plats shall be reviewed using approval criteria in Article X.III, Section A. An application for subdivision may be reviewed concurrently with an application for a Master Planned Development under Article X.V.~~

~~9. **Review of Final Plat**. Review of a final plat for a subdivision or partition shall be processed as a Type II procedure under Article X.I, using the approval criteria in Article X.III, Section A.~~

~~10. **Preliminary Plat Approval Period**. Preliminary plat approval shall be effective~~

~~for a period of one (1) year from the date of approval. The preliminary plat shall lapse if a final plat has not been submitted within the 1-year period.~~

~~11. **Modifications and Extensions**. The applicant may request changes to the approved preliminary plat or conditions of approval following the procedures and criteria provided in Article X.VI - Modifications. The City Planning Official shall, upon written request by the applicant and payment of the required fee, grant one written extension of the approval period not to exceed one year; provided that:~~

~~a. Any changes to the preliminary plat follow the procedures in Article X.VI;~~

~~b. The applicant has submitted written intent to file a final plat within the one-year extension period;~~

~~c. An extension of time will not prevent the lawful development of abutting properties;~~

~~d. There have been no changes to the applicable Code provisions on which the approval was based. If such changes have occurred, a new preliminary plat application shall be required; and~~

~~e. The extension request is made before expiration of the original approved plan.~~

~~12. **Phased Development**~~

~~a. The City may approve a time schedule for developing a subdivision in phases, but in no case shall the actual construction time period (i.e., for required public improvements, utilities, streets) for any partition or subdivision phase be more than 1 year without reapplying for a preliminary plat;~~

~~b. The criteria for approving a phased land division proposal are:~~

~~(1) Public facilities shall be constructed in conjunction with or prior to each phase;~~

~~(2) The development and occupancy of any phase dependent on the use of temporary public facilities shall require City Council approval. Temporary facilities shall be approved only upon City receipt of bonding or other assurances to cover the cost of required permanent public improvements, in accordance with Article X.III, Section A. A temporary public facility is any facility not constructed to the applicable City or district standard;~~

~~(3) The phased development shall not result in requiring the City or a third party (e.g., owners of lots) to construct public facilities that were required as part of the approved development proposal; and~~

(4) The proposed time schedule for phased development approval shall be reviewed concurrently with the preliminary plat application, and the decision may be appealed in the same manner as the preliminary plat.

F. Preliminary Plat Submission Requirements.

13. **General Submission Requirements.** For all partitions (three or fewer parcels), the application shall contain all of the information required for a Type II procedure under Article X.I, Section C. For all subdivisions (four or more lots) the application shall contain all of the information required for a Type III procedure under Article X.I, Section D, and the information in subsections a-c, below:

a. Public Facilities and Services Impact Study. The impact study shall quantify and assess the effect of the development on public facilities and services. The City shall advise as to the scope of the study during the required pre-application conference (Article X.I, Section F). The study shall address, at a minimum, the transportation system, including pedestrian ways and bikeways, the drainage system, the parks system, the water system, and the sewer system. For each public facility system and type of impact, the study shall propose improvements necessary to meet City standards and to minimize the impact of the development on the public at large, public facilities systems, and affected private property users;

b. Traffic Impact Study, if required by the road authority. Traffic Impact Studies shall conform to the standards and procedures in Article X.I, Section I; and

c. In situations where this Code requires the dedication of real property to the City, the City shall either:

(1) include in the written decision evidence that shows that the required property dedication is directly related to and roughly proportional to the projected impacts of the development on public facilities and services, or

(2) delete the dedication as a condition of approval.

14. **Preliminary Plat Information.** In addition to the general information described in Subsection A above, the preliminary plat application shall consist of drawings and supplementary written material (i.e., on forms and/or in a written narrative) adequate to provide the following information:

a. General information:

(1) Name of subdivision (not required for partitions). This name must not duplicate the name of another subdivision in Lane County.

(2) Date, north arrow, and scale of drawing;

~~(3) Location of the development sufficient to define its location in the City, boundaries, and a legal description of the site;~~

~~(4) A title block including the names, addresses and telephone numbers of the owners of the subject property and, as applicable, the designer, and engineer and surveyor if any, and the date of the survey if submitted; and~~

~~(5) Identification of the drawing as a "preliminary plat".~~

~~b. Site analysis:~~

~~(1) Streets: Location, name, present width of all streets, alleys and rights-of-way on and abutting the site;~~

~~(2) Easements: Width, location and purpose of all existing easements of record on and abutting the site;~~

~~(3) Utilities: Location and identity of all utilities on and abutting the site. If water mains and sewers are not on or abutting the site, indicate the direction and distance to the nearest one and show how utilities will be brought to standards;~~

~~(4) Ground elevations shown by contour lines at 5-foot vertical intervals for ground slopes exceeding 10 percent and at 2-foot intervals for ground slopes of less than 10 percent or as required by the City. Such ground elevations shall be related to some established benchmark or other datum approved by the County Surveyor. This requirement may be waived for partitions when grades, on average, are less than 6 percent;~~

~~(5) The location and elevation of the closest benchmark(s) within or adjacent to the site (i.e., for surveying purposes);~~

~~(6) Potential natural hazard areas, including any flood plains, areas subject to high water table, landslide areas, and areas having a high erosion potential;~~

~~(7) Sensitive lands, including wetland areas, streams, wildlife habitat, and other areas identified by the City or natural resource regulatory agencies as requiring protection;~~

~~(8) Site features, including existing structures, pavement, areas having unique views, and drainage ways, canals and ditches;~~

~~(9) Designated historic and cultural resources on the site and adjacent parcels or lots;~~

~~(10) The location, size and species of trees having a caliper (diameter) of 6 inches or greater at 4 feet above grade in conformance with Coburg Tree Ordinance;~~

~~(11) North arrow and scale;~~

~~(12) Name and address of project designer, if applicable; and~~

~~(13) Other information, as deemed appropriate by the City Planning Official. The City may require studies or exhibits prepared by qualified professionals to address specific site features and code requirements.~~

~~c. Proposed improvements:~~

~~(1) Public and private streets, tracts, driveways, open space and park land; location, names, right-of-way dimensions, approximate radius of street curves; and approximate finished street center line grades. All streets and tracts that are being held for private use and all reservations and restrictions relating to such private tracts shall be identified;~~

~~(2) Easements: location, width and purpose of all proposed easements;~~

~~(3) Lots and private tracts (e.g., private open space, common area, or street): approximate dimensions, area calculation (e.g., in square feet), and identification numbers for all proposed lots and tracts;~~

~~(4) Proposed uses of the property, including all areas proposed to be dedicated to the public or reserved as open space for the purpose of surface water management, recreation, or other use; potential location of future buildings;~~

~~(5) Proposed improvements, as required by Article 3 (Design Standards), and timing of improvements (e.g., in the case of streets, sidewalks, street trees, utilities, etc.);~~

~~(6) Preliminary location of development showing those future buildings can meet siting and dimensional standards of the district.~~

~~(7) The proposed source of domestic water;~~

~~(8) The proposed method of sewage disposal;~~

~~(9) Proposed method of surface water drainage and treatment if required;~~

~~(10) The approximate location and identity of other utilities, including the locations of street lighting fixtures;~~

~~(11) Changes to navigable streams, or other watercourses. Status of public access to these areas shall be shown on the preliminary plat, as applicable;~~

~~(12) Identification of the base flood elevation for development of more than 2 lots or ½ acre, whichever is less. Written evidence of initiation of a Federal~~

~~Emergency Management Agency (FEMA) flood plain map amendment shall be required when development is proposed to modify a designated 100-year flood plain. FEMA approval of the amendment shall be a condition of City land use approval;~~

~~(13) Evidence of contact with from the road authority for any development requiring access to its facility(ies); and~~

~~(14) Evidence of written notice to the applicable natural resource regulatory agency(ies) for any development within or adjacent to jurisdictional wetlands and other sensitive lands.~~

~~G. Approval Criteria: Preliminary Plat~~

~~15. **General Approval Criteria.** The City may approve, approve with conditions or deny a preliminary plat based on the following approval criteria:~~

~~a. The proposed preliminary plat complies with the applicable Development Code sections and all other applicable ordinances and regulations. At a minimum, the provisions of this Article, and the applicable chapters and sections of Article VII District Regulations and Article VIII Supplementary District Regulations shall apply where a variance is necessary to receive preliminary plat approval.~~

~~b. The proposed plat name is not already recorded for another subdivision, and satisfies the provisions of ORS Chapter 92;~~

~~c. The proposed streets, roads, sidewalks, bicycle lanes, pathways, utilities, and surface water management facilities are laid out so as to conform or transition to the plats of subdivisions and maps of major partitions already approved for adjoining property as to width, general direction and in all other respects. All proposed public improvements and dedications are identified on the preliminary plat;~~

~~d. All proposed private common areas and improvements (e.g., homeowner association property) are identified on the preliminary plat; and~~

~~e. Evidence that any required State and federal permits have been obtained, or shall be obtained before approval of the final plat;~~

~~f. Evidence that improvements or conditions required by the City, road authority, Lane County, special districts, utilities, and/or other service providers, as applicable to the project, have been or can be met; [and]~~

~~g. If any part of the site is located within a Historic District, Overlay Zone, or previously approved Master Planned Development, it shall conform to the applicable regulations and/or conditions.~~

~~16. **Layout and Design of Streets, Blocks and Lots.** All proposed blocks (i.e.,~~

~~one or more lots bound by public streets), lots and parcels conform to the specific requirements below:~~

~~a. All lots shall comply with the lot area, setback, and dimensional requirements of the applicable land use district (Article VII District Regulations,Article VII Supplementary District Regulations, and the Coburg Transportation System Plan.~~

~~b. Setbacks shall be as required by the applicable land use district (Article VII).~~

~~c. Each lot shall conform to the standards of Article VIII Supplementary District Regulations.~~

~~d. Landscape or other screening may be required to maintain privacy for abutting uses as required in Article VIII Supplementary District Regulations.~~

~~e. In conformance with the Uniform Fire Code, a 20-foot width fire apparatus access drive shall be provided to serve all portions of a building that are located more than 150 feet from a public right-of-way or approved access drive.~~

~~f. Where a common drive is to be provided to serve more than one lot, a reciprocal easement which will ensure access and maintenance rights shall be recorded with the approved subdivision or partition plat.~~

~~g. All applicable engineering design standards for streets, utilities, surface water management, and easements shall be met.~~

~~17. **Conditions of Approval**. The City may attach such conditions as are necessary to carry out provisions of this Code, and other applicable ordinances and regulations, and may require reserve strips be granted to the City for the purpose of controlling access to adjoining undeveloped properties.~~

F. Filing and Recording

1. Filing Plat with County. Within 60 days of the City approval of the final plat, the applicant shall submit the final plat to Lane County for signatures of County officials as required by ORS Chapter 92.

2. Proof of Recording. Upon final recording with the County, the applicant shall submit to the City a 2 paper copies of all sheets of the recorded final plat. This shall occur prior to the issuance of building permits for the newly created lots.

3. Prerequisites to Recording the Plat.

a. No plat shall be recorded unless all ad valorem taxes and all special assessments, fees, or other charges required by law to be placed on the tax roll have been paid in the manner provided by ORS Chapter 92;

b. No plat shall be recorded until it is approved by the County Surveyor in the manner provided by ORS Chapter 92.

G. Re-platting and Vacation of Plats.

1. Re-platting and Vacations. Any plat or portion thereof may be re-platted or vacated upon receiving an application signed by all of the owners as appearing on the deed.

2. Procedure. All applications for a re-plat or vacation shall be processed in accordance with the procedures and standards for a subdivision or partition (i.e., the same process used to create the plat shall be used to re-plat or vacate the plat), and Article XXIV. The same appeal rights provided through the subdivision and partition process shall be afforded to the plat vacation process. (See Article X.I - Types of Applications and Review Procedures.) The road authority(ies) shall be notified of all applications for re-plats and ~~street~~ plat vacations. ~~All street vacations shall also conform to the ORS Chapter 271.~~ See also Article XXIV.A.1 Vacations.

3. Basis for Denial. A re-plat or vacation application may be denied if it abridges or destroys any public right in any of its public uses, improvements, streets or alleys; or if it fails to meet any applicable criteria. See Article XXIV.A.2.

4. Recording of Vacations. All approved plat vacations shall be recorded in accordance with Article X.III, Section L and the following procedures:

a. Once recorded, a re-plat or vacation shall operate to eliminate the force and effect of the plat prior to vacation; and

b. Vacations shall also divest all public rights in the streets, alleys and public grounds, and all dedications described on the plat.

5. After Sale of Lots. When lots have been sold, the plat may be vacated only in the manner herein, and provided that all of the owners of lots within the platted area consent in writing to the plat vacation.

6. **Street Requirement.** Except as prohibited by law (e.g., ORS 92.837, Manufactured Home Park), as a condition of plat vacation or re-plat approval, ~~in approving a right-of-way vacation or re-plat,~~ the City may require dedication of access ways, paths or trails ~~as a condition of the vacation of any public easement or right-of-way,~~ in order to establish or maintain a safe, convenient and direct pedestrian and bicycle circulation system. Such requirements shall be coordinated with the applicable road authority.

H. Property Line Adjustments. ~~A Property Line Adjustment is the modification of lot boundaries, when no lot is created or removed. The application submission and approval process is as follows:~~

1. Process. Applications for property line adjustments shall be processed as Type I applications in accordance with Article X, Section B.

2. **Submittal Requirements.** All applications for Property Line Adjustments shall be made on forms provided by the City and shall include information required for a Type I application, Article XI, Section B. , and the following additional items:

a. A preliminary property line map drawn to scale identifying 1) all existing and proposed property lines and dimensions, 2) footprints and dimensions of existing structures (including accessory structures) 3) location and dimensions of driveways and public and private streets within or abutting the existing properties; 4) the location of sensitive lands and significant vegetation; 5) existing fences and walls.

b. A current (issued within one year of the date of the application) preliminary title report.

c. Legal descriptions for each proposed parcel of land.

d. Proposed property line adjustment deed(s).

3. **Approval Criteria.** The City Planning Official shall approve or deny a request for a property line adjustment based on the following criteria:

a. Parcel Creation. No additional lot or parcel is created by the property line adjustment.

b. Lot Standards. All lots or parcels created by the property line adjustment conform to the applicable lot standards of the land use districting, including but not limited to, lot area, dimensions, setbacks, and coverage

c. No resulting lot or parcel falls completely within a flood hazard area or jurisdictional wetland.

d. Access and Road authority Standards. All lots and parcels shall conform to applicable access ~~the standards or~~ requirements, including Article VIII, Section A.2, ~~of Chapter 3.1 – Access and Circulation,~~ and all applicable road authority requirements ~~are met~~. If a lot is nonconforming to any City or road authority standard, it shall not be made even less conforming by the property line adjustment.

4. **Recording Property Line Adjustments.**

a. Recording. Upon the City's approval of the proposed property line adjustment, the applicant shall record the property line adjustment with Lane County within 60 days of approval (or the decision expires), and submit a copy of the recorded survey map to the City, to be filed with the approved application.

b. Time limit. The applicant shall submit a copy of the recorded property line adjustment survey map to the City within 15 days of recording and prior to the issuance of any building permits on the re-configured lots.

5. **Extension**. The City shall, upon written request by the applicant and payment of the required fee, grant a written extension of the approval period not to exceed one year provided that:

a. No changes are made to the original property line adjustment as approved by the City;

b. The applicant can show intent of recording the approved plan within the six month extension period;

c. There have been no changes in the applicable Code or plan provisions on which the approval was based. In the case where the property line adjustment conflicts with a code change, the extension shall be denied; and

d. The extension request is made before expiration of the original approved plan.

ARTICLE XIV. CONDITIONAL USE PERMITS

Sections:

A. Conditional Use Permits - Purpose
B. Conditional Use Permits - Approvals Process
C. Conditional Use Permits - Application Submission Requirements
D. Conditional Use Permits - Criteria, Standards and Conditions of Approval
E. Conditional Use Permits - Additional Development Standards

…

D. Conditional Use Permits - Criteria, Standards and Conditions of Approval
The City shall approve, approve with conditions, or deny an application for a conditional use or to enlarge or alter a conditional use based on findings of fact with respect to each of the standards and criteria in 1-3.

1. Use Criteria.

a. The site size, dimensions, location, topography and access are adequate for the needs of the proposed use, considering the proposed building mass, parking, traffic, noise, vibration, exhaust/emissions, light, glare, erosion, odor, dust, visibility, safety, and aesthetic considerations;

b. The negative impacts of the proposed use on adjacent properties and on the public can be mitigated through application of other Code standards, or other reasonable conditions of approval; and

c. All required public facilities have adequate capacity to serve the proposal.

2. Site Design Standards. The Site Design Review approval criteria (Article X.II, Section F) shall be met.

3. Conditions of Approval. The City may impose conditions that are found necessary to ensure that the use is compatible with other uses in the vicinity, and that the negative impact of the proposed use on the surrounding uses and public facilities is minimized. These conditions include, but are not limited to, the following:

a. Limiting the hours, days, place and/or manner of operation;

b. Requiring site or architectural design features which minimize environmental impacts such as noise, vibration, exhaust/emissions, light, glare, erosion, odor and/or dust;

c. Requiring larger setback areas, lot area, and/or lot depth or width;

d. Limiting the building or structure height, size or lot coverage, and/or location on the

site;

e. Designating the size, number, location and/or design of vehicle access points or parking areas;

f. Requiring street right-of-way to be dedicated and street(s), sidewalks, curbs, planting strips, pathways, or trails to be improved;

g. Requiring landscaping, screening, drainage, water quality facilities, and/or improvement of parking and loading areas;

h. Limiting the number, size, location, height and/or lighting of signs;

i. Limiting or setting standards for the location, design, and/or intensity of outdoor lighting;

j. Requiring berms, screening or landscaping and the establishment of standards for their installation and maintenance;

k. Requiring and designating the size, height, location and/or materials for fences;

l. Requiring the protection and preservation of existing trees, soils, vegetation, watercourses, habitat areas, drainage areas, historic resources, cultural resources, and/or sensitive lands;

m. Requiring the dedication of sufficient land to the public, and/or construction of pedestrian/bicycle pathways in accordance with the adopted plans, or requiring the recording of a local improvement district non-remonstrance agreement for the same.

4. Land Use Applications on property within the Interchange Area Management Plan (IAMP).

a. The City and County shall coordinate with Oregon Department of Transportation (ODOT) in the review of land use applications on property that is partially of wholly within the IAMP boundary. Land use actions within the IAMP that may affect the performance of an interchange, such as zone changes, land development applications, and requests for new local access, will be consistent with the adopted IAMP. The City Planner shall include ODOT as an agency referral partner. Actions not consistent with the IAMP may only be approved by also amending the IAMP and related transportation system plans consistent with OAR 660-012-0050 and 0055. IAMP boundary map can be found in Article X.I, Section I(1)(h).

ARTICLE XV. MASTER PLANNED DEVELOPMENTS

…

B. Master Planned Development – Applicability

The master planned development designation is an overlay zone that may be applied over any of the City's land use districts. An overlay zone allows the City to maintain current zoning designations while providing design controls and phased projects for the applicant. An applicant may elect to develop a project as a master planned development in compliance with the requirements of this section. In addition, the ~~City may require that the~~ following types of development may be processed using the provisions of master planned development:

1. Subdivisions of large residential and commercial sites one (1) acre and larger, in accordance with the Master Planned Development standards consistent with Article VII District Regulations and Article VIII Supplementary District Regulations and other applicable sections of the Coburg Zoning Code.

2. District designation for large residential and commercial sites undergoing annexation.

The following types of development will be processed using the provisions of master planned development:

3. Any proposed development or land use action on property that falls within the IAMP.

~~3.~~4. Any proposed development or land use action on property within the CI zone or property within the Light Industrial zone east of Interstate 5. Prior to submittal of a master plan application, an applicant shall coordinate with Lane Transit District regarding facilities necessary to support transit, including but not limited to service routes, walkways to transit stops, bus stops, waiting shelters or areas, or turnouts for buses. The City may require the developer to construct or contribute toward construction of transit facilities to the extent allowed by law.

ARTICLE XXII ZONE CHANGES ~~[AMENDED ORD. A-200C, 05/13/08]~~

Sections:

A. Zone Change Procedures and Criteria
B. District Amendment Criteria

A. Zone Change Procedures and Criteria

1. Procedures for Amending Major Zoning Districts and Special Purpose Districts

A proposal to change the zoning of a special purpose district designation of a particular piece of property or area of the City may be initiated by the Planning Commission, City Council, or by petition of not less than half of the property owners representing more than half of the land area involved. Such proposals shall be considered under the Type II procedures an outlined in ARTICLE X.B.13 or by legislative action as provided for in Subsection B of ARTICLE XI of this Code. A Type II procedure may be used to change the designation of a special purpose district when the Commission established that the circumstance which created 'the special purpose district has been altered to the point that the additional requirements of the Special District would no longer serve the intended purpose for which they were created.

All proposals for District amendments shall be submitted to the Planning Commission on a form prescribed by the City and shall include payment of required fees prior to processing. When the President has determined that all of the required information has been submitted, the application shall be processed as required.

2. District Amendment Criteria

Any zoning or special purpose district amendment proposal considered under a Type II procedure must be demonstrated to be in conformance with each of the following criteria:

a. The proposed amendment conforms to the Comprehensive Plan or substantial changes have occurred which render the Comprehensive Plan inapplicable to the requested change and the Plan should be amended as proposed by the proponent of the change (in which case the Plan must be amended prior to final action on the District Amendment).

b. The proposed amendment fulfills a demonstrated public need for a particular activity or use of land within the area in question.

c. If residential zoning is involved, the proposed residential zone or zones best satisfies the objectives of the Comprehensive Plan and does not exclude opportunities for adequate provision of low and moderate housing within the subject neighborhood area.

d. When an application is received to change the zone of property which includes all or part of a mobile home park, written notice by first class mail shall be sent to each existing mailing address for tenants of the mobile home park at least 20 days but not

more than 40 days before the date of the first hearing on the application.

[Adopted A-133C 12/12/89]

3. Land Use Applications that fall within the IAMP.

a. The City and County shall coordinate with ODOT in the review of land use applications for areas within the IAMP boundary. Land use actions within the IAMP that may affect the performance of an interchange, such as zone changes will be consistent with the adopted IAMP. The City Planner shall include ODOT as an agency referral partner. Actions not consistent with the IAMP may only be approved by also amending the IAMP and related transportation system plans consistent with OAR 660-012-0050 and 0055. Lands bounded by IAMP can be found in Article X.V, Section B(3).

ARTICLE XXIV. VACATION

. . .

3. Street Requirement.

Except as prohibited by law (e.g., ORS 92.837, Manufactured Home Park), as a condition of approval of a request to vacate an easement or right-of-way, the City may require dedication of access ways, paths or trails as a condition of the vacation of any public easement or right-of-way, in order to establish or maintain a safe, convenient and direct pedestrian and bicycle circulation system. Such requirements shall be coordinated with the applicable road authority.

ARTICLE XII. DEFINITIONS

A. Integration

For the purpose of this Code, certain terms or words used herein shall be interpreted as follows:

The word person includes firm, association, organization, partnership, trust, company or corporation as well as an individual.

The present tense includes the future tense, the singular number includes the plural and the plural number includes the singular.

The words shall and will are mandatory, the word may is permissive.

The words uses or occupied include the words intended, designed or arranged to be used or occupied.

The word lot includes the words plot or parcel.

B. Definitions

Abut or Abutting – Having a common border with, or separated from such a common border, by a right-of-way, alley, or easement.

Accessory Use or Structure - A use or structure on the same lot with, and of a nature customarily incidental and subordinate to, the principal use or structure.

Accessory dwelling Unit – See Dwelling Unit, Accessory. ~~(attached, separate cottage, or above detached garage) - An accessory dwelling is a small, secondary housing unit on a single family lot, usually the size of a studio apartment. The additional unit can be a detached cottage, a unit attached to a garage, or in a portion of an existing house. The housing density standard of the Residential District does not apply to accessory dwellings, due to the small size and low occupancy level of the use.~~
~~The following standards are intended to control the size and number of accessory dwellings on individual lots, so as to promote compatibility with adjacent land uses. Accessory dwellings shall comply with all of the following standards:~~

~~(a) Oregon Structural Specialty Code. The structure complies with the Oregon Structural Specialty Code;~~

~~(b) Owner Occupied. The primary residence or accessory dwelling shall be owner-occupied. Alternatively, the owner may appoint a family member as a resident care-taker of the principal house and manager of the accessory dwelling;~~

~~(c) One Unit. A maximum of one accessory dwelling unit is allowed per lot;~~

~~(d) Floor Area. The maximum floor area of the accessory dwelling shall not exceed 800 square feet;~~

~~(e) Building Height. The building height of detached accessory dwellings (i.e., separate cottages) shall not exceed the height of the primary structure~~

~~(f) Buffering. A minimum 5foot hedge or fence may be required to buffer a detached accessory dwelling from dwellings on adjacent lots, when buffering is necessary for the privacy and enjoyment of yard areas by either the occupants or adjacent residents.~~

Adjoining – Having a common border with, or separated from such a common border by right-of-way, alley, or easement.

Alley – A public or private vehicular passageway dedicated or permanently reserved as a means of secondary access to abutting property and designated an alley on a final plat. An alley is not a street.

Amusement Establishments - An establishment offering sports, theatrical productions, game playing, or similar amusements to the public within a fully enclosed building. This shall include, but is not limited to, theaters, bowling alleys, billiard parlors, and skating rinks.

Area, Gross – Total area of a parcel or site, usually expressed in acres.

Area, Net - Total area of a parcel or site (usually expressed in acres), excluding existing public street rights-of-way, public parks, and other areas permanently precluded from development due to development constraints, conservation easements, or other legal restrictions. Planned streets shall not be excluded from the net area.

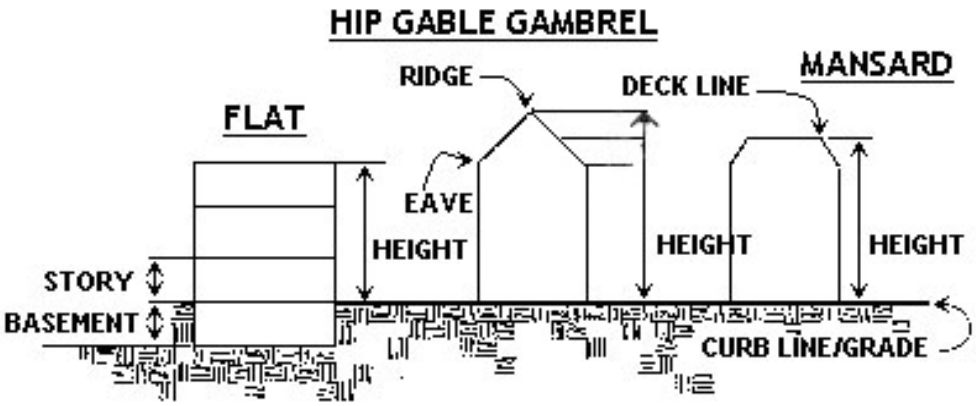
Articulation, Exterior Building - Articulation on the exterior of buildings is to provide relief from large expansions of uninterrupted building surface. Articulation includes design features such as: offsets or breaks in roof elevations, balconies, projections, window reveals, or similar elements along the vertical face of a structure, such features shall occur at a minimum of every 30 feet.

Automobile-~~Related~~Service - Auto-~~related~~service means maintenance and repair as well as sales of cars (or other motor vehicles) ~~are integral to the use~~ (e.g., car sales, repair, storage, ~~repair,~~ self-serve car wash, etc.).

Automobile-Dependent - Auto-dependent means the transaction takes place in an automobile (e.g., drive-up window, gas station, drive-through car washes, etc.).

Buildable Area - The portion of a lot remaining after required yards have been provided.

Height of Buildings The vertical distance above natural grade measured to the highest point of the coping of a flat roof or to the deck line of a mansard roof or to height of the highest gable of a pitched or hipped roof.



The height of a stepped or terraced building is the maximum height of any segment of the building.

Child Care Center – Any institution, establishment, or place in which are commonly received at one time three or more children not of common parentage, under the age of seven years, for a period or periods not exceeding 12 hours, for the purpose of being given board, care, or training apart from their parents or guardians for compensation or reward.
[Adopted A-133C 12/12/89]

Conditional Use – A use that requires a Conditional Use Permit.

Cottage – See Dwelling, Cottage. ~~A single- family detached dwelling unit that is part of a cottage housing development.~~

Cottage Housing – See Dwelling, Cottage Housing. ~~One or two clusters of cottages developed under a single land development plan, or as part of another land development plan.~~

Density – Number of dwelling units per acre of land, calculated in accordance with the definition of Density Calculation.

Density Calculation –

(a) **Maximum density** shall be calculated based on Gross Area within the development site, per the definition of Area, Gross. The formula shall be as follows:

Gross Area (expressed in acres) X Maximum Density per Acre established for the Zone = Maximum Density

When a fractional result for the number of dwelling units allowed is equal to or greater than .5, an additional dwelling unit may be allowed, but is not required.

(b) ` **Minimum density** shall be calculated based on the Net Area within the development site, per the definition of Area, Net. The formula shall be as follows:

Net Area (expressed in acres) X Minimum Density per Acre established for the Zone = Minimum Density

When a fractional result for the number of dwelling units required is equal to or greater than .5, an additional dwelling unit is allowed.

Distribution Center – A warehouse or other specialized building, often with refrigeration or air conditioning that is stacked with products to be redistributed to retailers, wholesalers, or directly to consumers. See Warehouse.

Driveway – A paved way for vehicular traffic extending from the roadway to the property line across a sidewalk, whether or not such sidewalk is improved, for the purpose of providing access to parking or maneuvering space on abutting property.

Drive-In Restaurant or Refreshment Stand - Any place or premises used for sale, dispensing, or serving of food, refreshments, or beverages in automobiles, including those establishments where customers may serve themselves and may eat or drink the food, refreshments, or beverages on the premises.

Dwelling, Cottage – A single-family detached dwelling unit that is part of a cottage housing development.

Dwelling, Cottage Housing –A cluster of between four and ten cottages developed under a single land development plan.

Dwelling, Manufactured Home/Manufactured Dwelling - A "manufactured home" is a structure constructed for movement on the public highways that has sleeping, cooking and plumbing facilities, that is intended for human occupancy, that is being used for residential purposes and that was constructed in accordance with federal manufactured housing construction and safety standards and regulations in effect at the time of construction. A "manufactured dwelling" includes a residential trailer, a mobile home (see Dwelling, Mobile Home), and a manufactured home meeting the above requirements. "Manufactured dwelling" does not include any building or structure constructed to conform to the State of Oregon Structural Specialty Code or the One and Two Family Dwelling Code adopted pursuant to ORS 455.100 to 455.450 and 455.610 to 455.630 or any unit identified as a recreational vehicle by the manufacturer. A

manufactured home accessory building or structure includes:

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

Dwelling, Mobile Home - ~~A detached residential dwelling unit designed for transportation after fabrication on streets or highways on its own wheels or on flatbed or other trailers, and arriving at the site where it is to be occupied as a dwelling complete and ready for occupancy except for minor and incidental unpacking and assembly operations, location of jacks or other temporary or permanent foundations, connections to utilities, and the like. A travel trailer is not to be considered as a mobile home.~~ A structure constructed for movement on the public highways that has sleeping, cooking, and plumbing facilities, that is intended for human occupancy, that is being used for residential purposes, and that was constructed between January 1, 1962, and June 15, 1976, and met the construction requirements of Oregon mobile home law in effect at the time of construction.

Dwelling, Multiple-family - A residential building designed for or occupied by three or ~~four~~ ~~four~~more ~~-~~families, with the number of families in residence not exceeding the number of dwelling units provided.

Dwelling, Single-family – A detached residential dwelling unit other than a mobile home, designed for and occupied by one ~~family~~ household only. ~~In order for attached units to be classified as single-family structures, each unit must:~~

- ~~Be separated by a ground-to roof wall,~~
- ~~Have a separate heating system,~~
- ~~Have individual meters for public utilities, and~~
- ~~Have no units located above or below.~~

Dwelling, Two-family - A detached residential building containing two dwelling units, designed for occupancy by not more than two families.

~~**Dwelling, Multiple-family** - A residential building designed for or occupied by three or more four families, with the number of families in residence not exceeding the number of dwelling units provided.~~

Dwelling Unit - One room, or rooms connected together, constituting a separate, independent housekeeping establishment for owner occupancy, or rental or lease on a weekly, monthly, or longer basis, and physically separated from other rooms or dwelling units which may be in the same structure, and containing independent cooking and sleeping facilities.

Dwelling Unit, Accessory - A small housing unit that is subordinate and incidental to the primary single-family dwelling on a single family lot.

Dwelling Unit, Accessory, Attached – An accessory dwelling unit that that shares a wall, floor or ceiling with the primary single-family dwelling for a minimum length of 8 feet.

Dwelling Unit, Accessory, Detached – Any accessory dwelling unit that is not attached.

~~**Family** - One or more persons occupying a single dwelling unit, provided that unless all members are related by blood or marriage, no such family shall contain over five persons, but further provided that domestic servants employed on the premises may be housed on the premises without being counted as a family or families.~~

Group Care Home – A residence for five or fewer unrelated physically or mentally handicapped persons and for staff persons who need not be related to each other or to any other home resident.
[Adopted A-133C 12/12/89]

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

Household – The person or persons occupying a dwelling unit.
~~**Home Occupation** - An occupation conducted in a residential unit, provided that:~~

~~(a) No more than two persons other than family members shall be employed in such occupation;~~

~~(b) The use of the dwelling unit for the home occupation shall be clearly incidental and subordinate to its use for residential purposes by its occupants, and not more than 25 percent of the floor area of the dwelling unit shall be used in the conduct of the home occupation;~~

~~(c) There shall be no change in the outside appearance of the building or premises, or other visible evidence of the conduct of such home occupation other than one sign;~~

~~(d) A home occupation sign shall not exceed 2 square feet, nor be higher than 6 feet above the ground. It shall be a non-illuminated wall sign;~~

~~(e) No traffic shall be generated by such home occupation in greater volumes than would normally be expected in a residential neighborhood. Any need for parking generated by the conduct of such home occupation shall be met off the street and other than in a required front yard;~~

~~(f) No equipment or process shall be used in such home occupation which creates noise, vibration, glare, fumes, odors, or electrical interference detectable to the normal senses off the lot or site. In the case of electrical interference, no equipment or process shall be used which creates visual or audible interference in any radio or television receivers off the premises, or causes fluctuations in line voltage off the premises;~~

~~(g) All visible evidence of a home occupation shall be removed within 14 days of~~

~~the termination of the home occupation;~~

Loading Space, Off-Street - Space logically and conveniently located for bulk pickups and deliveries, scaled to delivery vehicles expected to be used and accessible to such vehicles when required off-street parking spaces are filled. Required off-street loading space is not to be included as off-street parking space in computation of required off-street parking space.

Lot – A unit of land that is created by the subdivision of land as provided in this development code. Otherwise, the words "lot" and "parcel" are used interchangeably. ~~For purposes of this Code, a lot is a parcel of land of at least sufficient size to meet minimum zoning requirements for use, coverage, and area, and to provide such yards and other open spaces as are herein required. Such lot shall have frontage on an improved public street, or on an approved private street, and may consist of:~~

~~(a) A single lot of record;~~

(b) ~~A combination of complete lots of record.~~

Lot, Corner – See Lot Types

Lot, Interior – See Lot Types

Lot, Through – See Lot Types

Lot Coverage – That portion of a lot which, when viewed directly from above, would be covered by a building or stricture, or any part thereof, except that the following structures or parts of structures shall themselves not be included in calculating lot coverage:

(a) Any part of a structure without a roof.

(b) Roof eaves.

(c) Carports, porches, and balconies.

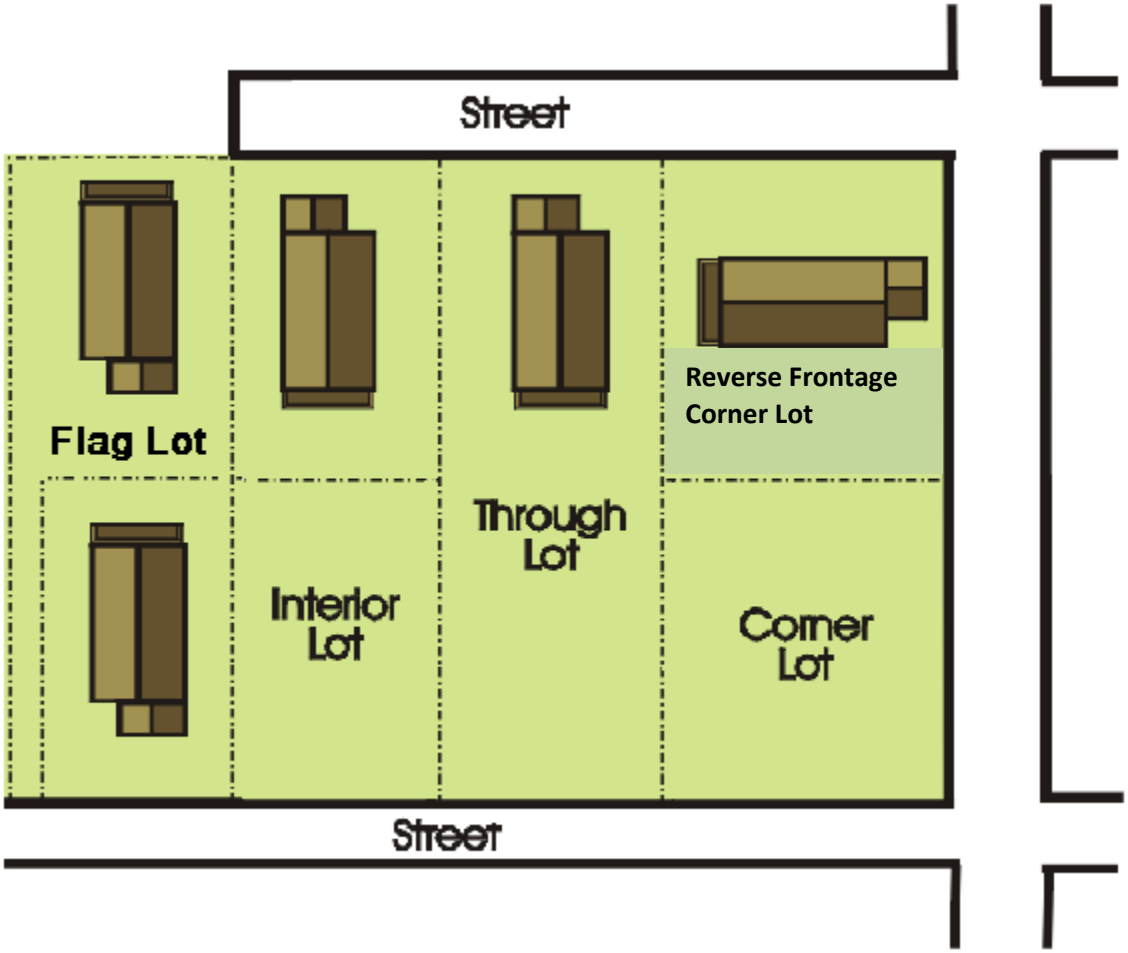
(d) Accessory structures less than 200 square feet.

Lot Frontage - The front of a lot shall be construed to be the portion nearest the street. For the purposes of determining yard requirements on corner lots and through lots, all sides of a lot adjacent to streets shall be considered frontage, and yards shall be provided as indicated under Yards in this Section.

Lot of Record - A lot which is part of a subdivision recorded in the office of the County Recorder, or a lot or parcel described by metes and bounds, the description of which has been so recorded.

Lot Types - The diagram below (Figure 2) ~~(Figure 1) which follows~~ illustrates terminology used in this Code with reference to flag lots, corner lots, interior lots, through lots, ~~and~~ reversed frontage corner lots, and reverse frontage through lots:

Figure 2.

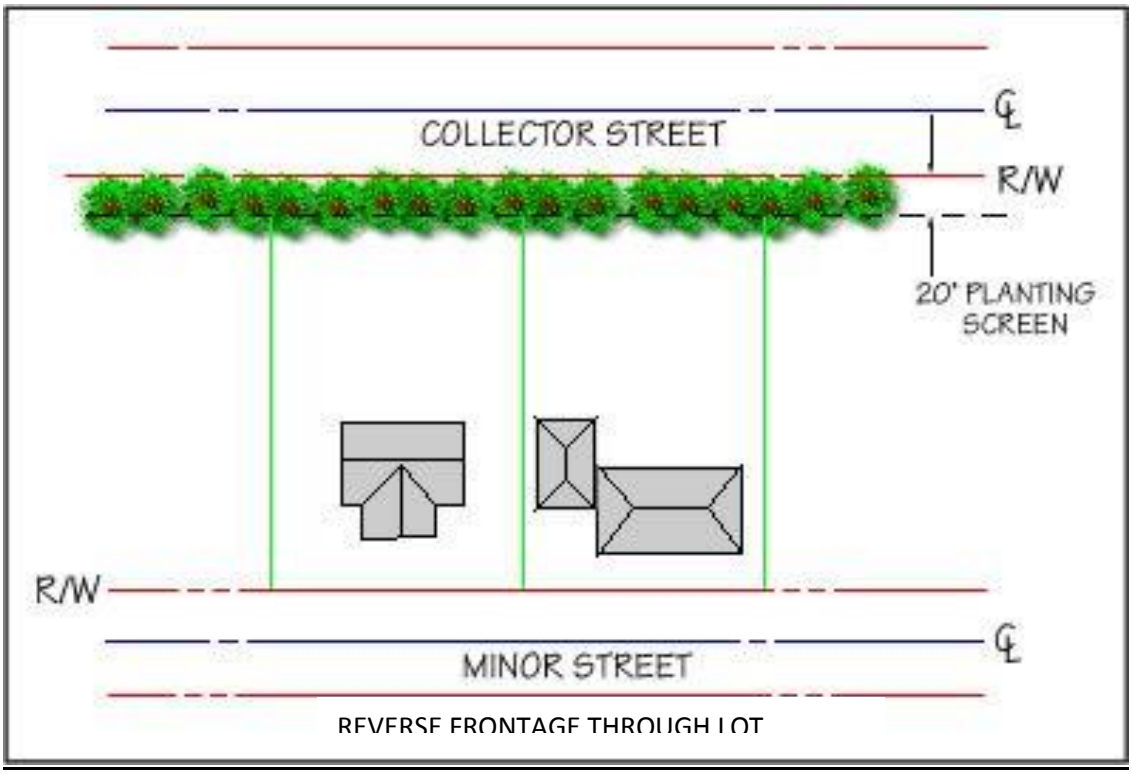


Lot, Corner- A lot that has frontage on more than one intersecting street, and where the lot frontages intersect. A street that curves with angles that are 120 degrees or less, measured from the center line of the street, in considered two intersecting streets for the purpose of evaluating whether a lot is a corner lot.

Lot, Flag – A lot that has access to a public right-of-way by means of a narrow strip of land.

Lot, Reversed Frontage Through- A through lot, the rear line of which abuts an arterial, other primary street, railroad right-of-way, or other feature that precludes access. See Figure 3 below.

Figure 3.



Lot, Reversed Frontage Corner – A corner lot, the rear of which abuts the side of another lot.

Lot, Through- A lot that has frontage on two streets, and where the lot frontages do not intersect.

~~In the diagram,~~

~~**A=corner lot,** defines as a lot located at the intersection of two or more streets. A lot abutting on a curved street or streets shall be considered a corner lot if straight lines drawn from the foremost points of the side lot lines to the foremost point of the lot meet at an interior angle of less than 135 degrees. See lots marked A(1) in the diagram.~~

~~**B=interior lot**, defined as a lot other than a corner lot with only one frontage on a street.~~

~~**C=through lot**, defined as a lot other than a corner lot with frontage on more than one street. Through lots abutting two streets may be referred to as double frontage lots.~~

~~**D=reversed frontage lot**, defined as a lot on which the frontage is at right angles or approximately right angles (interior angle less than 135 degrees) to the general pattern in the area. A reversed frontage lot may also be a corner lot (A-D in the diagram), an interior lot (B-D) or a through lot (C-D).~~

Lot, Width - The horizontal distance between the midpoints of the side lot lines.

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

(A) Any portable, demountable or permanent structure established for use of the occupant of the manufactured structure and as further defined by rule of the Director of the State Department of Consumer and Business Services. Manufactured homes do not include residential

trailers constructed before 1962, mobile homes constructed between 1962 and 1976, or Recreational Vehicles.

~~**Map –** A final diagram, drawing or other writing concerning a major partition. [Ord. 132A Coburg Subdivision, adopted 06/22/82]~~

Minor Street - A street, usually of limited continuity, which serves primarily to provide the principal means of access to abutting property only.

Mobile Food Carts - A vehicle that is self-propelled or that can be pulled or pushed down a sidewalk, street or highway, on which food is prepared or processed, or converted, or which is used in selling and dispensing food to the ultimate consumer.

Negotiate – Any activity preliminary to the execution of a binding agreement for the sale of land in a subdivision or partition, including but not limited to advertising, solicitation and promotion of sale of such land.
[Ord. 132A Coburg Subdivision, adopted 06/22/82]

Nonconforming Use – A use of land that does not comply with the use regulations for its zoning district, but which complied with applicable use regulations at the time the use was established.

Outdoor Advertising Business - Provision of outdoor displays or display space on a lease or rental basis only.

Parcel – A unit of land that is created by a partitioning of land.
~~[Ord. 132A Coburg Subdivision, adopted 06/22/82]~~

Parking Space, Off-Street - For the purposes of this Code, an off-street parking space shall consist of a space adequate for parking an automobile with room for opening doors on both sides, together with properly related access to a public street or alley and maneuvering room. Required off-street parking areas for three or more automobiles shall have individual spaces marked, and shall be so designed, maintained, and regulated that no parking or maneuvering incidental to parking shall be on any public street, walk or alley, and so that any automobile may be parked and un-parked without moving another.

For purposes of rough computation, an off-street parking space and necessary access and maneuvering room may be estimated at 300 square feet, but off-street parking requirements will be considered to be met only when actual spaces meeting the requirements above are provide and maintained, improved in a manner appropriate to the circumstances of the case, and in accordance with all ordinances and regulations of the city.

Partition – Either an act of partitioning land or an area or tract of land partitioned as defined in [Partition Land]
~~[Ord. 132 Coburg Subdivision, adopted 06/22/82]~~

Partition Land – To divide an area or tract of land into two or three parcels within a calendar year when such area or tract of land exists as a unit or contiguous units of land under single ownership at the beginning of such year. "Partition land" does not include divisions of land resulting from lien foreclosures, divisions of land resulting from divisions of land resulting from foreclosure of recorded contracts for the sale or real property and divisions of land resulting from the creation of cemetery lots; and "partition land" does not include any adjustment of a lot line by the relocation of a common boundary where an additional parcel is not created and where the existing parcel reduced in size by the adjustment is not reduced below the minimum lot sized established by the zoning code. "Partition land" does not include the sale of a lot in a recorded subdivision, even though the lot may have been acquired prior to the sale with other contiguous lots or property by a single owner.
[Ord. 132 Coburg Subdivision, adopted 06/22/82]

Plat – Includes a final map, diagram, drawing, replat or other writing containing all the descriptions, locations, specifications, dedications, provisions and information concerning a subdivision.
~~[Ord. 132 Coburg Subdivision, adopted 06/22/82]~~

Private Open Space- Outdoor space directly adjacent to a dwelling unit providing an outdoor area for private use by the occupants of the dwelling unit.

Property line adjustment - means a relocation or elimination of all or a portion of the common property line between abutting properties that does not create an additional lot or parcel.

Recreational Vehicle – A vehicle designed to be used primarily as temporary living quarters for recreational, camping, travel or seasonal use that either has its own motor power or is mounted on or towed by another vehicle, including, but not limited to camping trailers, fifth wheel trailers, motor homes, travel trailers and truck campers.

Residential Home – A home licensed by or under the authority of the Department of Human Resources under ORS 443.400 to 443.825 which provides residential care alone or in conjunction with treatment or training or combination thereof for 5 or fewer individuals who need not be related. Staff person required to meet Department of Human Resources licensing requirements shall both be counted in the number of facility residents, and need not be related to each other or to any other resident of the residential home. This definition includes residential treatment homes, residential training homes and adult foster homes.

Residential Facility – A home licensed by or under the authority of the Department of Human Resources under ORS 443.400 to 443.460 which provides residential care alone or in conjunction with treatment or training or a combination thereof for 6 to 15 individuals who need not be related. Staff persons required to meet Department of Human Resources licensing requirements shall not be counted in the number of facility residents, and need not be related to each other or to any resident of the residential facility. This definition includes the following: residential facilities, residential care facilities, residential treatment facilities and residential training facilities

Reversed Frontage- See Lot Types.

Right-of-way – Land acquired by reservation, dedication, prescription, or condemnation and intended to be occupied by a road, trail, water line, sanitary sewer, or other public use.

Road or **Street** – A public or private way that is created to provide ingress or egress for persons to one or more lots, parcels, areas or tracts of land, excluding a private way that is created to provide ingress or egress to such land in conjunction with the use of such land for forestry, mining or agricultural purposes.
~~[Ord. 132 Coburg Subdivision, adopted 06/22/82]~~

School- An institution for the teaching of children or adults including primary and secondary schools, colleges professional schools, dance schools, business schools, trade schools, art schools, and similar facilities.

Service Station - Buildings and premises where gasoline, oil, grease, batteries, tires, and automobile accessories may be supplied and dispensed at retail, and where in addition the following services may be rendered and sales made, and no other:

(a) Sale and servicing of spark plugs, batteries, and distributors and distributor parts;

(b) Tire servicing and repair, but not recapping or re-grooving;

(c) Replacement of mufflers and tail pipes, water hose, fan belts, brake fluid, light bulbs, fuses, floor mats, seat covers, windshield wipers and wiper blades, grease retainers, wheel bearings, mirrors and the like;

(d) Radiator cleaning and flushing;

(e) Washing and polishing, and sales of automotive washing and polishing materials;

(f) Greasing and lubrication;

(g) Providing and repairing fuel pumps, oil pumps, and lines;

(h) Minor servicing and repair of carburetors;

(i) Emergency wiring repairs;

(j) Adjusting and repairing brakes;

(k) Minor motor adjustments not involving removal of the head or crankcase or racing the motor;

(l) Sales of cold drinks, packaged foods, tobacco, and similar convenience goods for service station's customers, as accessory and incidental to principal operation;

(m) Provision of road maps and other informational material to customers; provision of restroom facilities.

Use permissible at a service station do not include major mechanical and body work, straightening of body parts, painting, welding, storage of automobiles not in operating condition, or other work involving noise, glare, fumes, smoke or other characteristics to an extent greater than normally found in filling stations. A service station is not a repair garage nor a body shop.

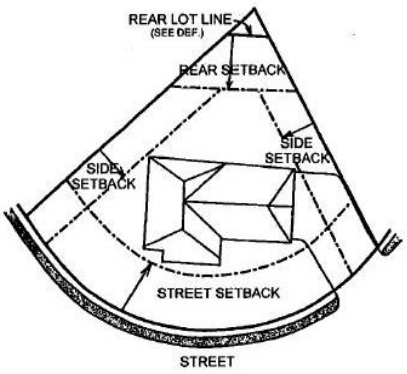
Setback – The required minimum horizontal distance between the location of structures or uses and the related front, side, or rear lot line measured perpendicular to such lot line.

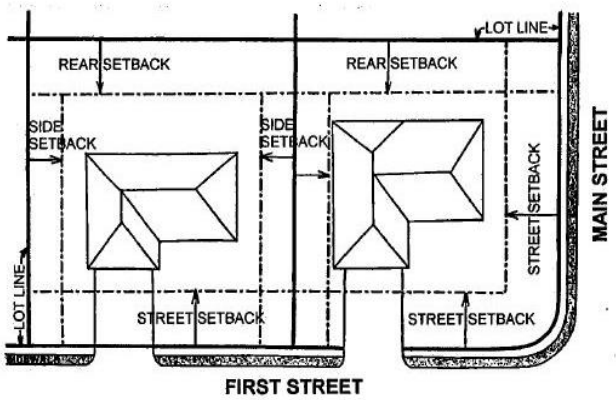
(a) Front- a setback extending across the full width of the lot measured perpendicular to the front lot line.

(b) Rear- a setback extending across the full width of the lot measured perpendicular to the rear lot line.

(c) Side – a setback extending from the front lot line to the rear setback measured perpendicular to the side lot line.

(d) Street – a setback extending across the full width of the lot measured perpendicular to the font lot line.





Sign – [SEE ORD. A-155, SECTION 3 DEFINITIONS] Any device designed to inform or attract the attention of persons not on the premises on which the sign is located provided, however, that the following shall not be included in the application of the regulations herein:

(a) Signs not exceeding one square foot in area and bearing only property numbers, post box numbers, names of occupants of premises, or other identification of premises not having commercial connotations;

(b) Flags and insignia of any government except when displayed in connection with commercial promotion;

(c) Legal notices; identification, informational, or directional signs erected or required by governmental bodies;

(d) Integral decorative or architectural features of buildings, except letters, trademarks, moving parts, or moving lights;

(e) Signs directing and guiding traffic and parking on private property, but bearing no advertising matter.

Signs, Number and Surface Area - [SEE ORD. A-155, SECTION 3 DEFINITIONS] For the purpose of determining number of signs, a sign shall be considered to be a single display surface or display device containing elements organized, related, or composed to form a unit. Where matter is displayed in a random manner without organized relationship of elements, or where there is reasonable doubt about the relationship of elements, each element shall be considered to be a single sign.

The surface area of a sign shall be computed as including the entire area within a regular geometric form of combination or regular geometric forms comprising all of the display area of the sign and including all of the elements of the matter displayed. Frames and structural members not bearing advertising matter shall not be included in computation of surface area.

Sign, On-Site - [SEE ORD. A-155, SECTION 3 DEFINITIONS] A sign relating in its subject matter to the premises on which it is located, or to products, accommodations, services, or activities on the premises. On-site signs do not include signs erected by the outdoor advertising industry in the conduct of the outdoor advertising business.

Sign, Off-Site - [SEE ORD. A-155, SECTION 3 DEFINITIONS] A sign other than an on-site sign.

Special Exception - A special exception is a use that would not be appropriate generally or without restriction throughout the zoning division or district, but which, if controlled as a number, area, location or relation to the neighborhood, would promote the public health, safety, welfare, morals, order, comfort, convenience, appearance, prosperity, or general welfare. Such uses may be permitted in such zoning division or district as special exceptions, if specific provision for such special exceptions is made in this Code.

Story- The space between two adjacent floors, or between a floor and the roof of a building.

Street – See "Road"

Street Line - The right-of-way line of a street.

Structure - Anything constructed or erected with a fixed location on the ground, or attached to something having a fixed location on the ground. Among other things, structures include buildings, mobile homes, walls, fences, billboards, and poster panels.

Subdivide Land – To divide an area or tract of land into four or more lots within a calendar year when such area or tract of land exists as a unit or contiguous units of land under a single ownership at the beginning of such year.
[Ord. 132A Coburg Subdivision, adopted 06/22/82]

Subdivision – Either an act of subdividing land or an area or tract of land subdivided as defined in this section ~~the Coburg Subdivision Code.~~
~~[Ord. 132A Coburg Subdivision, adopted 06/22/82]~~

Through Lot or Parcel – See Lot Types.

Travel Trailer - A vehicular, portable structure built on a chassis, designed to be used as a temporary dwelling for travel and recreational purposes, having a body width not exceeding eight feet.

Variance - A variance is a relaxation of the terms of the zoning ordinance where such variance will not be contrary to the public interest and where, owning to conditions peculiar to the property and not the result of the actions of the applicant, a literal enforcement of the ordinance would result in unnecessary and undue hardship. As used in this ordinance, a variance is authorized only for height, area, and size of structure or size of yards and open spaces; establishment or expansion of a use otherwise prohibited shall not be allowed by variance, nor shall a variance be granted because of the presence of non-conformities in the zoning district or uses in an adjoining zoning district.

Warehouse – Facilities for the storage of furniture, household goods, or other commercial goods of any nature. Includes cold storage and facilities in which the primary purpose of storage is for wholesaling. Warehouse includes a distribution center or facility designed and intended to be used for the rental of storage units to individuals for the safekeeping of personal items. See Distribution Center.

Warehousing – The act of receiving and storing goods that will be sold or distributed later

Wholesaling—The act of selling merchandise to retailers; industrial, commercial, institutional, or professional business users; other wholesalers; or acting as agents or brokers in buying merchandise for, or selling merchandise to, such persons or companies.

Yard – An open unoccupied space on a lot that is unobstructed by a structure and measured from a property line to the nearest point of a building. ~~A required open space other than a court unoccupied and unobstructed by any structure or portion of structure from 30 inches above the general ground level of the graded lot upward, provided however, that fences, walls, poles, posts and other customary~~

~~yard accessories, ornaments and furniture may be permitted in any yard subject to height limitations and requirements limiting obstruction of visibility.~~

Yard, Front - A yard extending between side lot lines across the front of a lot adjoining a public street.

~~In any required front yard, no fence or wall shall be permitted which materially impedes vision across such yard above the height of 30 inches, and no hedge or other vegetation shall be permitted which materially impedes vision across such yard between the heights of 30 inches and 10 feet.~~

~~In the case of through lots, unless the prevailing front yard pattern on adjoining lots indicates otherwise, front yards shall be provided on all frontages. Where one of the front yards that would normally be required on a through lot is not in keeping with the prevailing yard pattern, the planning commission may waive the requirement for the normal front yard and substitute, therefore, a special yard requirement which shall not exceed the average of the yards provided on adjacent lots.~~

~~In the case of corner lots which do not have reversed frontage, a front yard of the required depth shall be provided in accordance with the prevailing yard pattern and a second front yard of half the depth required generally for front yards in the district shall be provided on the other frontage.~~

~~In the case of the reversed frontage corner lots, a front yard of the required depth shall be provided on either frontage, and a second front yard of half the depth required generally for front yards in the district shall be provided on the other frontage.~~

~~In the case of corner lots with more than two frontages, the Planning Commission shall determine the front yard requirements, subject to the following limitations: (1) At least one front yard shall be provided having the full depth required generally in the district; (2) No other front yard on such lots shall have less than half the full depth required generally.~~

Yard, Side - A yard extending from the rear line of the required front yard to the rear lot line, or in the absence of any clearly defined rear lot lien to the point on the lot farthest from the intersection of the lot line involved with the public street. In the case of through lots, side yards shall extend from the rear lines of front yards required. In the case of corner lots, yards remaining after full- and half-depth front yards have been established shall be considered side yards.

Width of a required side yard shall be measured in such a manner that the yard established is a strip of the minimum width required by district regulations with its inner edge parallel with the side lot line.

Yard, Rear - A yard extending across the rear of the lot between inner side yard lines. In the case of through lots and corner lots, there will be no rear yards, but only front and side yards.

Yard Set Back - An area where buildings and certain structures cannot be constructed, measured from the property line to the exterior wall of a building. A setback may be referred to as "front yard", "interior side yard", "street side yard" or "rear yard". ~~This definition does not include solar setback.~~